

**MICHAEL TOMASKY:  
OUR WEIRD ELECTION**

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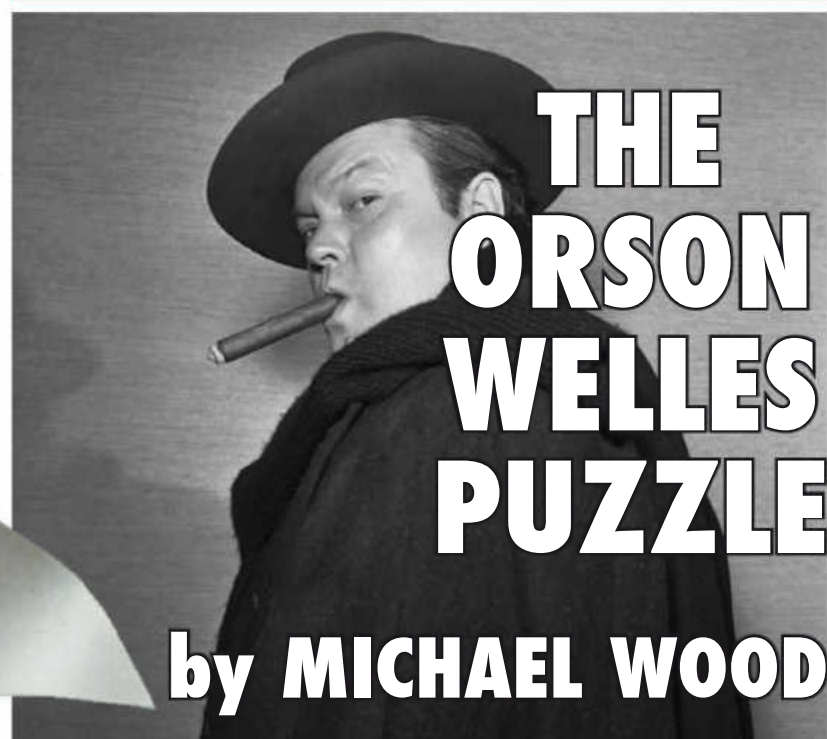
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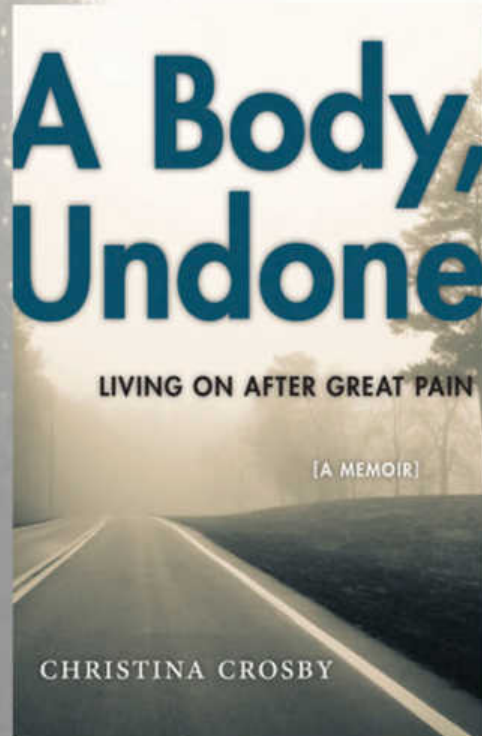
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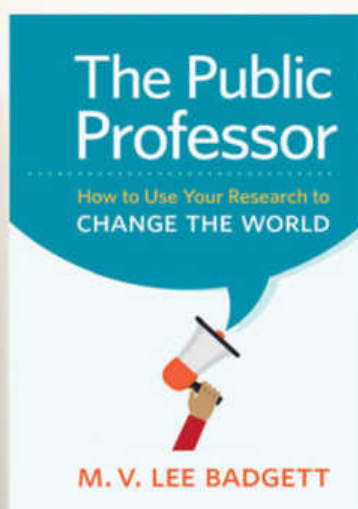
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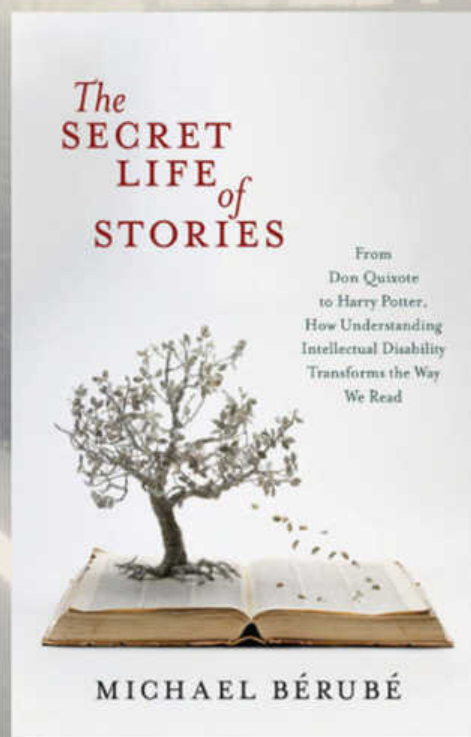


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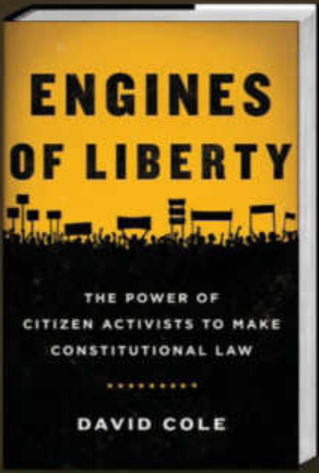
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# The Dangerous Election

Michael Tomasky

Everyone who has seriously worked in politics and journalism agrees that this has been the strangest and least predictable presidential campaign we've ever seen. This is largely because of Donald Trump's angry elephantine presence. Though not solely: Bernie Sanders's fund-raising prowess and skill at campaigning have rattled all Democratic assumptions. And then comes an event like the death of Antonin Scalia, which will reverberate throughout the length of the campaign.

None of us has experienced anything quite like it. And yet with the benefit of hindsight, we can see that what is happening in this campaign, for all its crazy-sounding dogmatism, isn't so crazy at all. The developments within both parties reflect the long-standing anxieties that liberals and conservatives feel about the country, anxieties that have only grown sharper as time has passed. For liberals, the chief concern for thirty-five years now has been about the unfairness of the economy—virtual wage stagnation for most workers, huge gains for the top 1 percent, and the lax regulatory and enforcement regimes that have permitted those outcomes, along with slow recovery from the most recent recession.

For conservatives, for about the same period of time, the main worry has been what is broadly called "culture," by which we really mean the anger and resentment felt by older white Americans about the fact that the country is no longer "theirs" and that their former status and authority no longer seem what they once were. This rubric takes in a number of issues—immigration, especially illegal immigration; same-sex marriage; a black president in the White House; all the things that conservatives bundle under the reviled label "political correctness." In their minds it is some sort of taint that has infected every institution in this once-great nation and is destroying it daily before their eyes.

It is no wonder, then, that a man who possesses a sharp instinct for identifying and simplistically fulminating against all these evils should have emerged to define the shape of the Republican race. Donald Trump's rise has taught us a few things about him, chiefly his instinct for dominating the daily news; but mostly it has taught us what the central voting issue of conservatives in the Obama era really is. It's not taxes or terrorism or even abortion rights. It is that we have been letting in too many undesirables who reject conservatives' values, compete for jobs, and are changing the country radically and irreparably for the worse.

Trump has committed many apostasies, such as his increasingly aggressive condemnation of the Iraq War. (In the February 13 debate, he went so far as to accuse George W. Bush of intentionally lying about Iraq's alleged weapons. This diverges sharply from the standard Republican line that it's simply a pity that the intelligence was so wrong.) Trump's record of statements and positions, which include past support for national health care, abortion rights, and the Clintons, would have been enough to bury most candidates. But for the base of the party he has popular views

on Latino and Muslim immigrants, whom he wants respectively to deport and keep out of the country altogether. All else, up through the first three contests at least, two of which he won commandingly, can be forgiven. Or indeed admired. How many of those shocked by his coarseness were among the millions who followed his *Apprentice* reality show when his bullying manner was already popular?

The general thinking after his attack on President Bush was that he'd finally gone too far, but that's been the general thinking on Trump many times. It's always been wrong, and it was wrong again in South Carolina, which



Donald Trump at a campaign rally in Reno, Nevada, January 2016

he won by eleven points. In a very pro-military state, he in essence accused an ex-president who is still reasonably popular among Republicans (77 percent approval, according to one pre-primary poll) of treason or a war crime or both—and won handsomely.

Three days later, he followed that win with a dominant victory in the Nevada caucuses, and as this is written was ahead in the polls in most of the eleven states set to vote on March 1. So unless Trump collapses somehow, or everyone eventually drops out except Florida Senator Marco Rubio, setting up a two-man race that many people believe Rubio could win, Republicans are looking at the very real possibility that Trump will be their party's nominee. Many leading conservatives are mortified at the thought. In mid-January, just before the voting began, *National Review* ran a huge "Against Trump" symposium, which led with a thundering editorial:

Donald Trump is a menace to American conservatism who would take the work of generations and trample it underfoot in behalf of a populism as heedless and crude as the Donald himself.

It also featured contributions from twenty-two conservative writers and activists such as Glenn Beck, William Kristol, and David McIntosh, the president of the influential Club for Growth.<sup>1</sup>

A few Republican grandees, notably Bob Dole, have piped up in Trump's defense. Sarah Palin endorsed him on January 19, in a prolix and sometimes

incoherent speech that made the candidate, who was standing next to her, visibly uneasy. ("How about the rest of us? Right-winging, bitter-clinging, proud clingers of our guns, our God, and our religions, and our Constitution.") But they are rarities. As I write, Trump has been endorsed by just two members of Congress.

The candidate who is second only to Trump in his ability to bestir conservative alarm, Texas Senator Ted Cruz, would be no better and indeed worse from the point of view of many in the GOP establishment. As is well known by now, most of his fellow Republican senators detest him, seeing in him a wholly self-serving figure whose word is worth nothing. I think we can be absolutely certain that Mitch McConnell,

the Republican Senate leader whom Cruz has openly criticized on several occasions, would much rather spend four or eight years calling Trump "Mr. President" than having to genuflect to Cruz. If forced to choose between the two, most establishment Republicans would take Trump. Both would be underdogs against Hillary Clinton, but the difference is that Trump would lose and just go away, while Cruz would lose and stick around, attempting to remake the party in his image, hauling it even further to the right. This is why they all hope so devoutly that Rubio can win some primaries and justify staying in the race long enough either to beat Trump head-to-head or at least deny him the delegates needed to secure the nomination going into the convention.

The fury that led to Trump's rise has three main sources. It begins with talk radio, especially Rush Limbaugh, and all the conservative media—Fox News and, now, numerous blogs and websites and even hotly followed Twitter and Instagram feeds—that have for years served up a steady series of stories aimed at riling up conservatives. It has produced a campaign politics that is by now almost wholly one of splenetic affect and gesture. If you've watched any of the debates, you've seen it. The lines that get by far the biggest applause rarely have anything to do with any vision for the country save military strength and victory; they are execrations against what Barack Obama has done to America and what Hillary Clinton plans to do to it.

A second important factor has been the post-*Citizens United* elevation of

megarich donors like the Koch brothers and Las Vegas's Sheldon Adelson to the level of virtual party king-makers. The Kochs downplay the extent of their political spending, but whether it's \$250 million or much more than that, it's an enormous sum, and they and Adelson and the others exist almost as a third political party.

When one family and its allies control that much money, and those running want it spent supporting them (although Trump has matched them), what candidate is going to take a position counter to that family and the network of which it is a part? The Kochs are known, for example, to be implacably opposed to any recognition that man-made climate change is a real danger. So no Republican candidate will buck that. This extends, of course, to practically the whole of Capitol Hill. Not long ago, I talked with Democratic Senator Al Franken of Minnesota, who explained how the Republicans' fear of facing a Koch-financed primary from the right, should they cast a suspicious vote on climate change, prevented them from acknowledging the scientific facts. And what percentage of them, I asked, do you think really accept those facts deep down? "Oh," Franken said, "Ninety." He explained that in committee hearings, for example, witnesses from the Department of Energy come to discuss the department's renewable energy strategy, "and none of them challenge the need for this stuff."

This fear of losing a primary from the right is the third factor that has created today's GOP, and it is frequently overlooked in the political media. Barney Frank put the problem memorably in an interview he gave to *New York* magazine in 2012, as he was leaving office:

People ask me, "Why don't you guys get together?" And I say, "Exactly how much would you expect me to cooperate with Michele Bachmann?" And they say, "Are you saying they're all Michele Bachmann?" And my answer is no, they're not all Michele Bachmann. Half of them are Michele Bachmann. The other half are afraid of losing a primary to Michele Bachmann.<sup>2</sup>

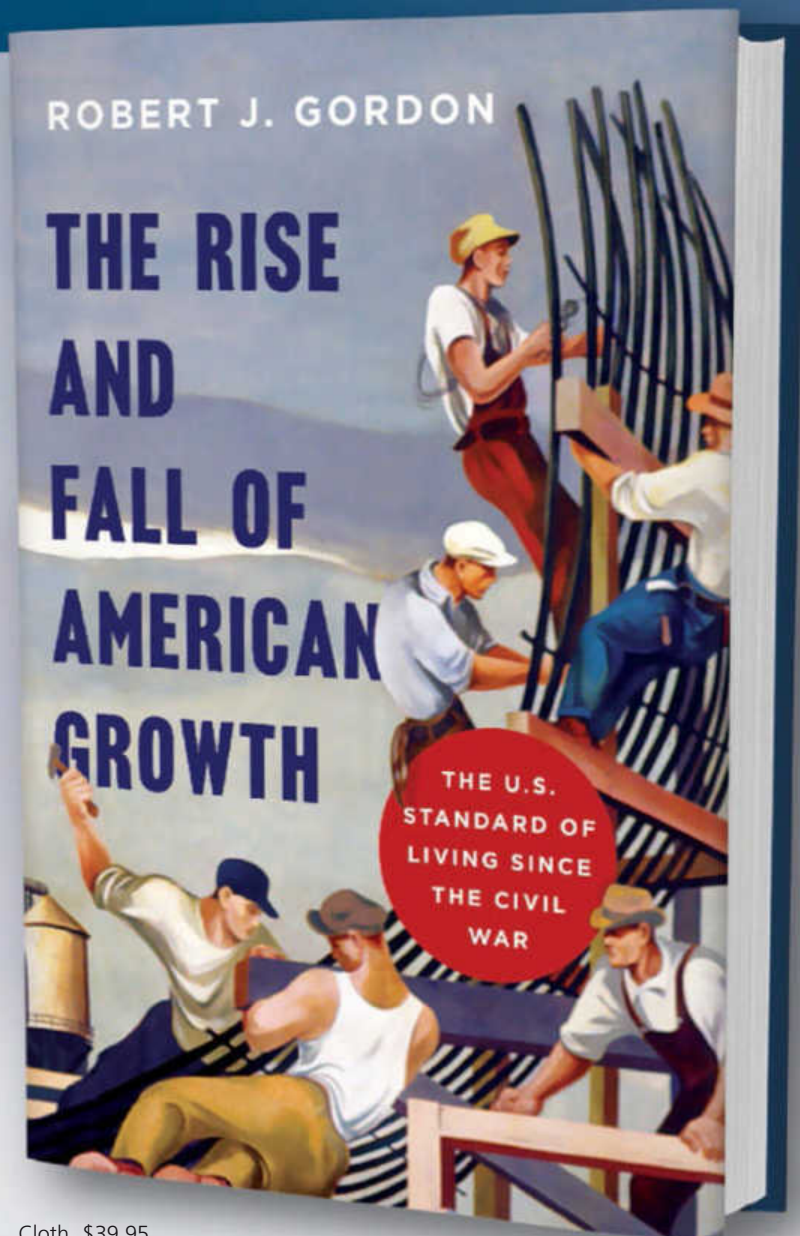
Few Americans understand just how central this reality is to our current dysfunction. All the pressure Republicans feel is from the right, although they seldom say so—no Republican fears a challenge from the center, because there are few voters and no money there. And this phenomenon has no antipode on the Democratic side, because there exists no effective group of left-wing multimillionaires willing to finance primary campaigns against Democrats who depart from doctrine. Very few Democrats have to worry about such challenges. Republicans everywhere do.

This creates an ethos of purity whose impact on the presidential race is obvious. The clearest example concerns Rubio and his position on immigration. He supported the bipartisan bill the Senate passed in 2013. He obviously did so because he calculated that the bill would pass both houses and he would be seen as a great leader. But the base

<sup>2</sup>See Jason Zengerle, "In Conversation: Barney Frank," *New York*, April 15, 2012.



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rebelled against it, and so now Rubio has reversed himself on the question of a path to citizenship for undocumented aliens and taken a number of other positions that are designed to mollify the base but would surely be hard to explain away in a general election were he to become the nominee—no rape and incest exceptions on abortion, abolition of the federal minimum wage, and more.

All this appears to have had the effect in this election of lowering the percentage of Republican primary voters who are willing to support the most electable candidate. In the past, for all the ideological teeth-gnashing, Republican primary voters have ultimately sent forward John McCain, Mitt Romney, Bob Dole. And perhaps they will still. The closest equivalent this time would be Rubio. We will see in due course if we have finally reached the point where the nihilists outnumber the pragmatists.

Democratic voters are less demanding, but not, these days, by a lot. Hillary Clinton was aware of the newly muscular economic-populist passions of the rank and file, and last year she made a series of moves that she surely thought would stand her in good, or at least improved, stead with a left flank that has never embraced her. She came out for paid family and medical leave. She proposed a set of reforms of Wall Street that would impose a graduated risk fee on large banks and a tax on high-frequency trading, among other measures, that was generally well received last fall. On a noneconomic matter, but one made salient on the left by the rise of the Black Lives Matter movement, she called for sweeping criminal justice reforms and vowed to end the “era of mass incarceration.” She positioned herself clearly to the left of where she had been in 2008.

But she has clearly underestimated three things: first, the depth of anger on the left at the big banks and the very wealthy, especially in view of the continuing revelations of mortgage and other manipulations; second, the mistrust of her on her party’s left, especially on these issues; and third, Bernie Sanders’s skill as a candidate.

The vote totals reflect these realities. Clinton’s win in Iowa was as narrow as it could be. Sanders’s thrashing of her in New Hampshire, by twenty-two points, came in well above most expectations. And while she did beat Sanders by five and a half points in Nevada, stabilizing what could have been a near-disastrous situation, she is still a long way from satisfying her base.

Clinton has a number of problems, all of which might have lain dormant under different circumstances but all of which sprouted forth as the voting began. The main one, as far as Democratic primary voters are concerned (a November electorate may well have different sources of unease), has to do with the authenticity of her newly held progressive positions.

Her overtures to the left, on close examination, were basically sound but they were still embroidered with the caution that has been her habit. For example, while her Wall Street package won some praise on the left, including from Elizabeth Warren, Clinton stops short of reinstating Glass-Steagall regulation of banks, which has become one of those symbolic positions for people on the left. On paid family leave, there is a bill in the Senate that would finance

it by imposing a 0.2 percent payroll tax on workers and employers. It has fairly broad Democratic backing, but Clinton doesn’t support it. Her proposal would be funded by a higher tax on the wealthy only, because she wants to be able to say that she will raise no taxes on anyone making less than \$250,000.

As for Sanders, as effective as he has been, he has his own flaws, which turn chiefly on whether he is electable. His partisans point to the general election head-to-head matchups in which he fares as well as, or better than, Clinton against Trump and Cruz and Rubio. But those polls don’t mean much. The Republicans haven’t spent a dollar attacking him yet, and if he were the nominee, they and their affiliated groups would spend between \$500 million and \$1 billion doing so.

How would he hold up under that barrage? There is his socialist back-



Bernie Sanders and Hillary Clinton at the Democratic presidential debate in Milwaukee, Wisconsin, February 2016

ground, the honeymoon trip he and his wife took to the Soviet Union, and all that. But Republicans might not even have to go there. The tax increases that would be entailed by Sanders’s programs, including his Medicare-for-all plan, have recently been shown to be enormous, requiring, according to some estimates, a top marginal tax rate of as much as 84 percent. Sanders argues that the trade-offs he proposes for expanded Medicare—taxes but no deductibles or copayments, not even for dental care and optometry—would save people thousands of dollars a year. In some cases they surely would. But as the health care expert Harold Pollack has pointed out, Sanders’s plan would in effect require a doubling of federal income tax collections.<sup>3</sup> The attack ads would doubtless say something like: “Bernie Sanders wants to double your taxes, limit your choice of doctor, and turn America into Cuba.” Times may have changed this country, but have they changed enough that 51 percent of voters will vote against such claims?

Finally, Sanders would present for the Democratic establishment some of the same problems that Trump and Cruz would present for Republicans. Very few elected Democrats would endorse Sanders enthusiastically, because they would calculate that being too close to Sanders would hurt their own reelection chances. So the Democrats too would be fractured, and perhaps for a very long time.

<sup>3</sup>See Harold Pollack, “Here’s Why Creating Single-Payer Health Care in America Is So Hard,” *Vox*, January 16, 2016.

The results from Nevada may have settled these questions. Yes, Clinton led there by twenty-five points last fall. But in the run-up to the caucuses, Sanders outspent her nearly two-to-one on television ads and had more organizers and offices around the state. He had a lot of momentum and a mostly favorable press. But it seems that by and large, the African-American and Latino voters stuck with Clinton. (The latter preference was hotly disputed based on an “entrance poll” showing that Sanders won among Latinos, but those polls can be shaky, and the result didn’t jibe with a closer inspection of the precinct-level tallies; the Clinton campaign claimed that she won 207 delegates in the state’s majority-Latino precincts, and Sanders won 130.)

I spent two days in Nevada, where I spoke with union leaders and politicians and some regular voters. On the

hundreds of people line up for an hour or more to take part in this ritual. I spoke there with Representative Dina Titus, who has represented Nevada’s first congressional district since 2013. A native Georgian who has not lost her accent despite forty years’ residence in Sin City, she’d spoken the night before at a Clinton rally I attended, where I wondered if there was enough enthusiasm.

I asked Titus: In your experience, when Democrats tell you they’re against Clinton, what’s the main reason they give? “Oh, idealism,” she said. “The people who support Bernie just like living the dream.” She explained that she often heard from people that Sanders was saying what they wanted to hear a Democrat say, and she concluded: “He’s the grandfather who says ‘Let’s go get ice cream,’ and Hillary is the grandmother who says ‘Do your homework first.’”

Nevadans chose homework, which was a mild surprise since according to the entrance polls electability ranked only fourth as a candidate’s most important quality. In any case Clinton’s win there, combined with what at the time of this writing was expected to be a big win in South Carolina on February 27 and then a near sweep of the dozen states voting on March 1, should begin to move her ineluctably toward the nomination.

Ineluctably, but I doubt smoothly. The FBI investigation of her e-mails is ongoing, and no one quite knows what the bureau will have to say about all that, or when. She will commit other unforced errors; she always does. And Sanders isn’t going anywhere. He will have the money, and enraptured supporters, to campaign through June. We should expect that he’ll do so. He has an audience far larger than any he’s ever had, and he won’t give that up until he absolutely has to. And if something goes haywire in Clintonland, he’ll still be standing.

So Clinton, even if she is racking up wins and delegates, has weeks or months of work ahead of her to convince more liberal voters that she means it. And on the Republican side, it may be that if indeed Clinton appears to be advancing toward the nomination, the pragmatists will finally start to outnumber the nihilists. Once the Republican race gets down to the big three of Trump, Cruz, and Rubio, we will see if Rubio can get his thirty-four percent in such contests.

He has certainly done a fine job of spinning a gullible press corps. He tried to claim that his second-place finish in South Carolina was somehow a win, and CNN for one obliged him with a report that could have been produced by Rubio’s press office. But his double-digit loss to Trump fell far short of the expectations that Rubio’s own campaign had set up. He had the support of the state’s three best-known GOP politicians—Governor Nikki Haley, Senator Tim Scott, and Congressman Trey Gowdy, chair of the Benghazi hearings—and a campaign staff with deep South Carolina connections. Besides which, his campaign had spent January cultivating donors by telling them he would win the state.

Nevertheless, perhaps the question of electability will eventually come to the fore on the Republican side. But the last few months have made all predictions an iffy business this time around. The workings of fear tend to be furtive. □

—February 25, 2016



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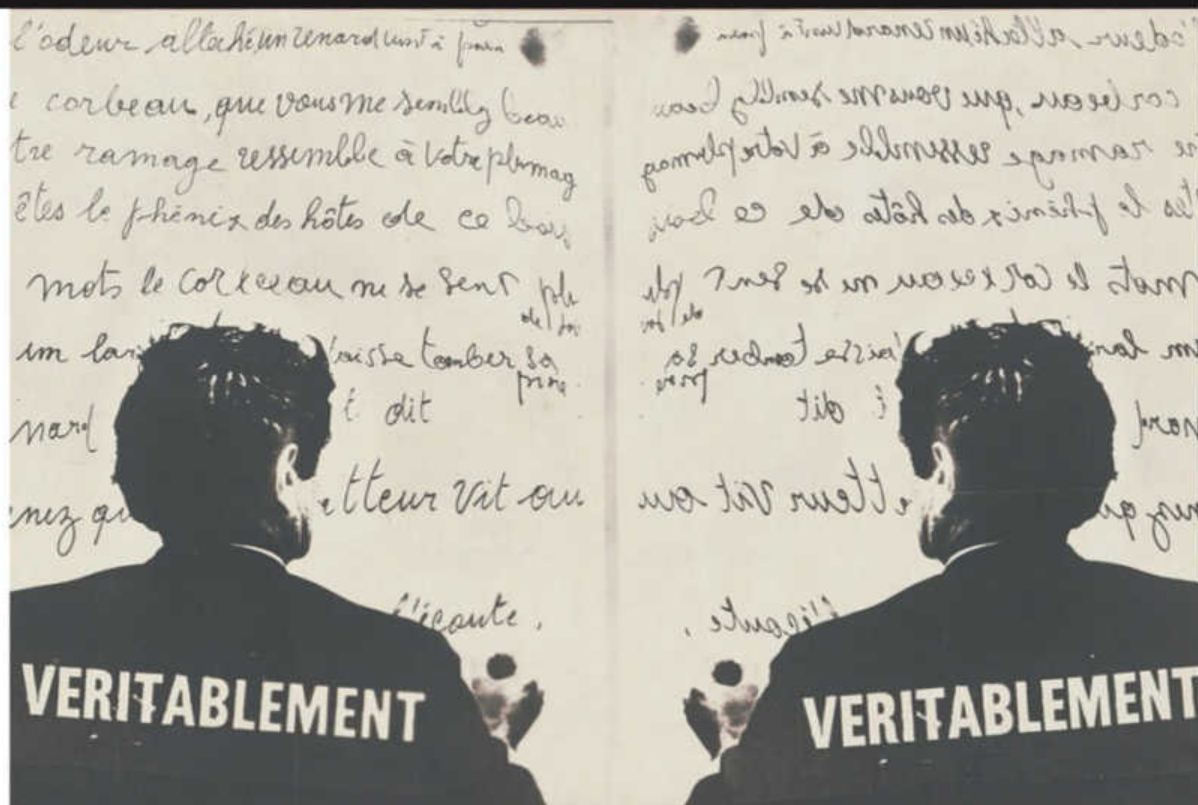
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Top: Marcel Broodthaers. *Véritablement* (Truly). 1968. Photographic canvas. The Museum of Modern Art, New York. Partial gift of the Daled Collection and partial purchase through the generosity of Maja Oeri and Hans Bodenmann, Sue and Edgar Wachenheim III, Marlene Hess and James D. Zirin, Agnes Gund, Marie-Josée and Henry R. Kravis, and Jerry I. Speyer and Katherine G. Farley, 2011. © 2016 Estate of Marcel Broodthaers/Artists Rights Society (ARS), New York/SABAM, Brussels; Bottom: Archive As Instigator workshop, July 12, 2014. Photograph by Manuel Martagon. © 2016 The Museum of Modern Art, New York

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# A Most Successful Woman

Anka Muhlstein

## Vigée Le Brun

an exhibition at the Metropolitan Museum of Art, New York City, February 15–May 15, 2016; and at the National Gallery of Canada, Ottawa, June 10–September 11, 2016. Catalog of the exhibition by Joseph Baillio, Katharine Baetjer, and Paul Lang. Metropolitan Museum of Art, 278 pp., \$50.00 (distributed by Yale University Press)

## “Mundus Muliebris”:

**Élisabeth Louise Vigée Le Brun, peintre de l’Ancien régime féminin [“Mundus Muliebris”: Élisabeth Louise Vigée Le Brun, Female Painter of the Ancien Regime]**

by Marc Fumaroli.

Paris: Fallois, 102 pp., €12.00 (paper)

It comes as something of a surprise that we have had to wait until 2015 for a comprehensive exhibition in France of the work of Madame Vigée Le Brun—perhaps the most gifted French portraitist of the late eighteenth and early nineteenth centuries, an artist who gave posterity the most enduring image of Queen Marie Antoinette. The only comparable show of her work prior to this one was mounted more than thirty years ago at the Kimbell Art Museum, in Fort Worth, through the instigation of the art historian Joseph Baillio. The Paris show, somewhat scaled down, is now on view at New York’s Metropolitan Museum. What is the reason for this lack of interest in the artist’s homeland?

The quality of her work has never been called into question, though there can be no denying a certain tradition of mistrust toward female painters. The unbreakable bond with Marie Antoinette certainly did nothing to help her reputation in Republican France. Vigée Le Brun is known first and foremost as the queen’s portraitist and she remained attached to the values of the ancien régime. Her work celebrates the most engaging qualities of the Enlightenment: a natural elegance and a new attitude, strongly influenced by Jean-Jacques Rousseau, toward motherly love. What’s more, over the course of a very long career—she died in 1842 at the age of eighty-six, having executed more than 660 portraits—she never really evolved much. As Richard Dormont pointed out in these pages twenty-five years ago:

Her only miscalculation, had she cared for her posthumous reputation, was her own consistency: she continued to paint beautifully wrought portraits of all the most prominent people with flair and conviction long after the Revolution and its aftermath had rendered such confidence obsolete. Her paintings suggest a robust optimism when it was the doubt and self-questioning of romantic portraiture that would appeal to the twentieth-century imagination.\*

\*Richard Dormont, “Working Girl,” *The New York Review*, February 15, 1990. Additional footnotes appear in the Web version of this review at [www.nybooks.com](http://www.nybooks.com).



Élisabeth Louise Vigée Le Brun: Self-Portrait, 1790

Paradoxically, she’s never been forgotten. The memoirs that she wrote at the end of her life have been unfailingly republished. Numerous biographies have appeared both in French and in English. The earliest dates from 1890, just fifty years after her death; the latest from 2011. The author of the most recent study, Geneviève Haroche-Bouzinac, has done a painstakingly thorough job, but Joseph Baillio’s 1982 monograph remains irreplaceable because of its author’s long-standing familiarity with his subject. The essays by Joseph Baillio, Katharine Baetjer, and Paul Lang published in the exhibition catalog are indispensable for anyone seeking to understand the complexity of the painter’s life and work.

Élisabeth Louise Vigée was born on April 16, 1755. Her father was a painter who worked in pastels; her mother was a hairstylist, a profession that, in an era of quasi-architectural coiffures, demanded uncommon taste and skill. Their young daughter soon displayed a great facility in drawing. Her father encouraged her to use his pastel sticks, gave her her first lessons, and predicted that she’d have a future as a painter. But he died too young, choking to death on a fishbone. His daughter was twelve. In her grief, she set aside her pastels and lost her high spirits. Her mother’s second marriage, to a commercial goldsmith, François Le Sèvre, whom Louise detested from the start, did nothing to help matters.

Meanwhile, her mother urged her to study painting seriously. She started by copying drawings and busts in the atelier of the painter Gabriel Briard. Joseph Vernet, an old friend of her father’s, advised her not to adhere to any particular school but instead to look at and copy the work of the great masters. The remarkable thing is that she was therefore self-taught, trusting to her eyes, and began to paint professionally when she was just fifteen.

At first she painted the people around her, her family, her friends, and then the bourgeois residents of her neighborhood, which stood in the shadow of the Palais-Royal, the home of the Duc d’Orléans, cousin to the king. The duc’s daughter-in-law, the Duchesse de Chartres, heard from various tradesmen about the girl’s precocious talent (Paris was still basically a collection of villages). Her curiosity piqued, she asked her to paint her portrait. The portrait has since been lost but it met with complete satisfaction and served to throw open the doors of high society to the young artist. She soon began to earn money but her stepfather pocketed all her fees. She so resented the practice that she thought of marrying in order to escape his guardianship. It turned out that a marriageable bachelor was close at hand.

Le Sèvre had moved the family to an apartment in a grand town house that belonged to an art dealer named Jean-Baptiste Pierre Le Brun, grandnephew of Charles Le Brun, the court painter of Louis XIV. Jean-Baptiste occupied

the second floor, the one with the highest ceilings and most elegant rooms, and filled the suite with important canvases. Le Brun bought and sold valuable collections. He was impressively knowledgeable about art and was himself a very good painter. He immediately realized that his young neighbor was remarkably talented and he gladly offered to lend her paintings to copy at her leisure. What’s more, the elegant young man, a smooth talker, made a good impression on the girl’s mother. He made plain his intentions, asking for and receiving her hand in marriage. The wedding took place in 1775, the year she turned twenty. She insisted on keeping her father’s surname, Vigée; a name by which she was already well known. From then on, she’d sign her work Louise Élisabeth Vigée Le Brun.

The marriage was not to be a happy one with respect to their personal intimacy (in fact, she never painted Le Brun’s portrait, and the one that appears in the show is actually a self-portrait), but it did give her a daughter who for many years made her happy. Besides, Le Brun proved very useful to her and offered sound advice.

First of all, she accompanied him on his travels, which gave her an opportunity to complete her education. Her response to the work of Rubens, for instance, which she saw on a trip to the Netherlands, is that of the experienced technician that she had become. She closely observed the way the Flemish artist treated the gradations of light over the face; it was very much as a painter that she admired *Le Chapeau de Paille*, a portrait of Rubens’s sister-in-law, Susanna Fourment. She was charmed by the use of the hat as an accessory, and she adopted it in many of her own paintings, once even of the queen herself. Upon her return to Paris, she began working at a feverish pace, with her husband’s unreserved encouragement. He would henceforth manage with unnerving intuition the financial side of her career.

The trick was to set a price that wouldn’t scare off clients but place her above the competition. He never backed down. The price varied according to whether the client desired a bust without hands, with one hand, two hands, and with or without accessories. Prodigious worker that she would remain for the rest of her life, she finished forty portraits during her first year of marriage.

In 1778, her career, and the very course of her existence, were altered by a spectacular new commission: a portrait of the queen intended as a gift to her mother, the empress of Austria. She had already painted a portrait of the king’s brother, so she was not unknown to the royal family, but she was very young and lacked the official sanction of membership in the Académie. How then can we explain this surprising choice as anything but the determination of Marie Antoinette herself?

Marie Antoinette was exasperated by the artists for whom she had posed. “The painters kill me and cause me to despair...I’ve just received my portrait. It is such a poor likeness that I

Galleria degli Uffizi, Corridio Vasariano, Florence





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can't send it," she writes to her mother. In fact, though, it may simply have been too good a likeness. In any case, she decided to turn to Vigée Le Brun. She could only congratulate herself on the choice.

Vigée Le Brun certainly knew that getting the queen to pose was no easy matter. Subject to a thousand distractions, she had difficulty concentrating longer than a quarter of an hour. She was easily bored and if anything irritated her, her features tensed. The portraitist was sufficiently experienced to know that she'd have to work quickly if she wanted to avoid getting on her model's nerves. As she wrote in her *Conseils pour faire un Portrait*:

This is how it works with women; you must flatter them, tell them how pretty they are, that they have fresh complexions, and so on and so forth.... That will put them in a good mood.... You must also tell them how well they pose; that encourages them to behave themselves.

She also knew that it was in her interest to downplay the queen's slightly protruding Habsburg jaw and bulging eyes, and to conceal the double chin that was just starting to emerge. After all, though the queen had a dazzling complexion, she was not pretty.

She pulled it off beautifully. Marie Antoinette was delighted with that first portrait. Vigée Le Brun was paid six thousand livres, three times as much as Gautier-Dagoty, an artist the royal family had previously employed. This was a very substantial sum when a household servant might earn fifty livres a year and a carriage cost two thousand.

The queen was so pleased that she commissioned Vigée Le Brun to do three more portraits, and in a clear sign of favor, arranged for her to be inducted into the Académie, which had previously rejected her, not because of her gender—there were four seats reserved for women—but on account of her marriage to an art dealer. The regulations of the Académie prohibited all connections between an artist and the art business. The art historian Pierre Rosenberg points out, in addition, that aside from Vernet, she didn't get along with her fellow artists. The queen's striking support particularly annoyed Jean-Baptiste Pierre, the king's first painter and the director of the Académie.

Vigée Le Brun thus became Marie Antoinette's official painter and gradually grew to be responsible for the queen's image. While the first portrait of the young queen—slightly haughty, in full court regalia, with the crown in plain sight on a nearby table, and a bust of Louis XVI atop a pedestal adorned by the figure of Justice looming over all—was very classic and even a bit stilted, the ones that followed would be more natural.

In fact, so natural that one of them, *Marie Antoinette in a Chemise Dress* (1783), caused a scandal. That the queen should choose to have herself painted in a white dress, *à l'anglaise*, without ornaments, wearing a straw hat, and a half-smile on her lips, came as a shock to the French public, who viewed this choice of apparel as a refusal to symbolize royalty, a contempt for traditional morality, and a blameworthy fondness for foreign fashion. The artist was forced to withdraw the portrait from the Salon

and replace it with a canvas that had an identical pose but in which the unseemly dress *à l'anglaise* was replaced by a silk dress *à la française*, and the informal hat replaced by an elaborate coiffure. Here the natural ways the queen had introduced at the Trianon bowed to Versailles, where proper etiquette was regaining the upper hand, but the damage had been done and public opinion was rumbling: Vigée Le Brun had portrayed the queen in a care-free mood that failed to live up to the image expected of the king's spouse.

In a recent book of a hundred or so pages that are as brilliant as they are

customized aspect of Marie Antoinette's situation lay in the fact that Louis XVI was a loving and faithful husband, while quite recklessly—because she was doing it more to dispel her boredom than to amuse Louis XVI—she had taken on two entirely incompatible roles: that of arbiter of elegance and, at the same time, that of dynastic queen.

What is more, she condemned herself in the eyes of the French populace by her lavish spending; she further deprived herself of the protection of the more traditional circles at court through the excessive indulgence she displayed toward her favorites. The hours spent in the company of her intimate women friends, especially in the



Élisabeth Louise Vigée Le Brun: Marie Antoinette in a Chemise Dress, 1783

original, the historian Marc Fumaroli gives a double portrait of queen and artist that clearly shows the slippage of women's standing during that period. Previously, it had been understood that women had a significant influence on life in a society marked by flexible social standards and casual morals. In *The Persian Letters*, Montesquieu went so far as to say that

at the court, in Paris, or in the provinces,...these women are all in each other's secrets, and form a sort of republic, the members of which are always busy aiding and serving each other; it is like a state within a state.

During the reign of Louis XVI, public opinion turned against this feminization of power, setting off a brutal reaction; Marie Antoinette was its first victim. Previous queens of France, Fumaroli points out, had lived retiring lives, leaving it up to the royal mistresses to spend the state's money, brighten up court life, and entertain the king. The unac-

Petit Trianon, which had been declared off-limits to the king himself, infuriated the courtiers who were excluded and only fed the flames of the most fanciful rumors of imagined debauchery. Obscene pamphlets concerning the pursuits of the *tribades de Trianon*—the "butches" of the Trianon—circulated throughout the city. The demonization of the queen was underway.

The government, well aware of the danger inherent in the queen's deteriorating image, hoped it could turn matters around by commissioning a large canvas of Marie Antoinette surrounded by her children. A Swedish painter having failed to complete the task successfully, Vigée Le Brun was called in. She had secured a monopoly over the image of the queen.

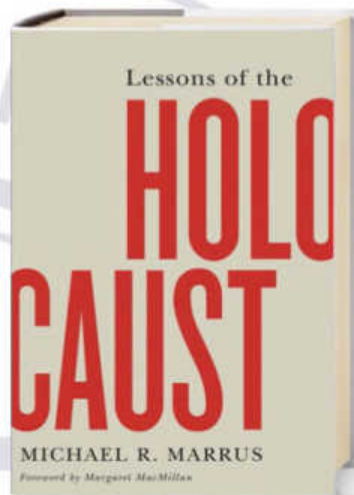
The assignment had its risks. First off, the political stakes were high; second, a canvas with multiple figures and on a grand scale posed a considerable challenge. Self-taught artist that she was, Vigée Le Brun had never painted anything other than individual portraits or self-portraits with her daughter. How

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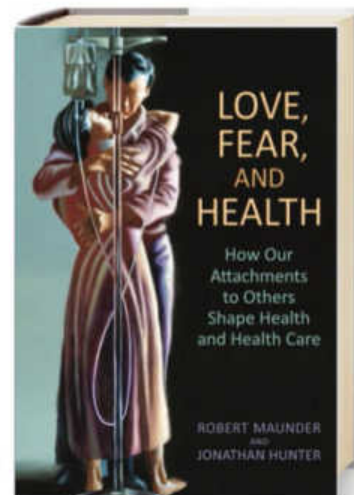


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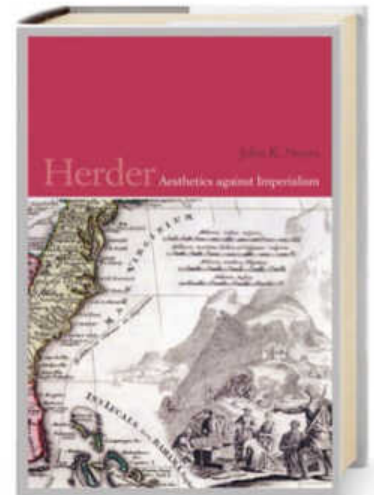


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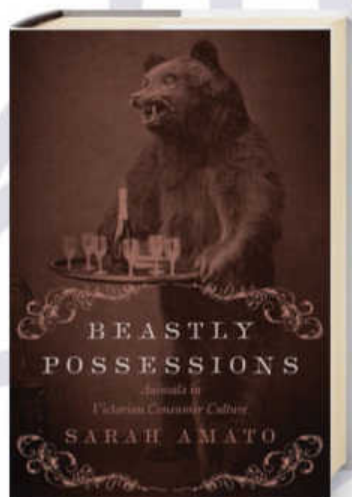


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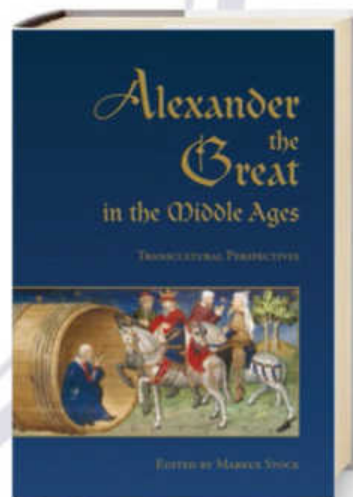


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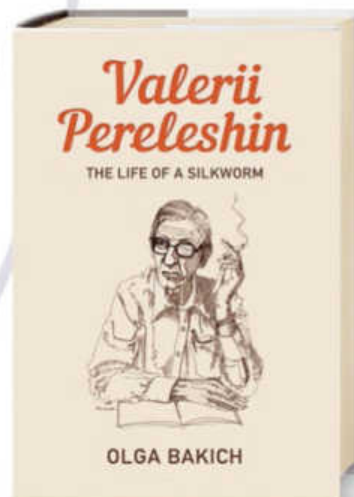


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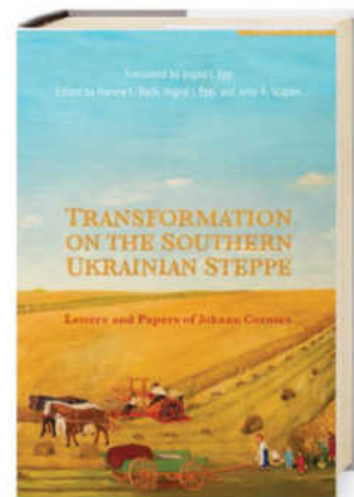


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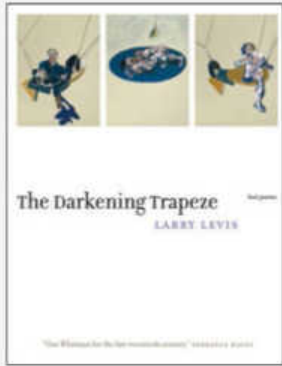


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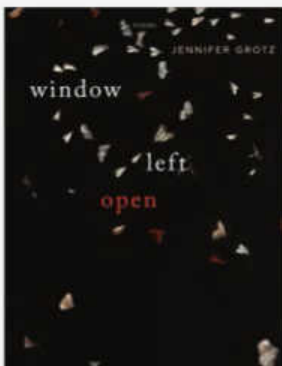
  
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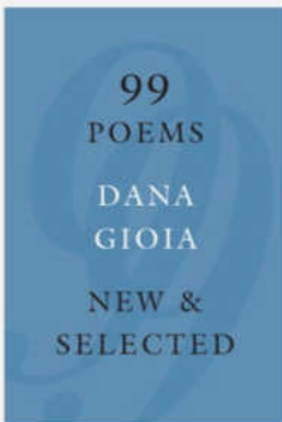
"Our Whitman for the late twentieth century."—Terrance Hayes



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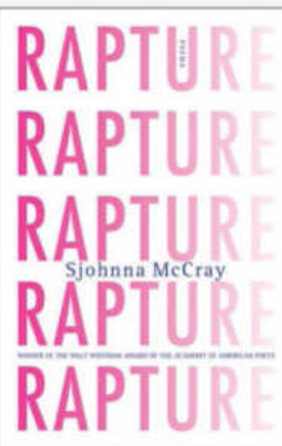
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could she determine the proper composition of such a painting? She went to the artist Jacques-Louis David for advice, and he suggested basing the work on a Raphael *Holy Family*. But won't people accuse me of plagiarism? the portraitist asked uneasily. Bah, David responded, once you've fixed it all up with fashionable apparel and modern furniture, no one will ever suspect that you took a composition by Raphael as your model.

The painting demanded two years of work and was exhibited in 1787. Coiffed with an elaborate headdress that sported ostrich plumes, garbed in a red velvet dress, Marie Antoinette holds her youngest son in her lap and her daughter snuggles against her shoulder, while the Dauphin points to an empty cradle, an allusion to the last-born girl, who died while the painting was being done.

The political objective was not attained and the portrait failed to arouse any stirring of sympathy for the queen. It was thought that her expression was chilly, anything but maternal. There was no eye contact among the four subjects. The hostility toward the queen did not abate. She was seen not as a mother but as a dominating spouse and the canvas only fanned the flames of a virulent reawakening of political, moral, and social misogyny directed primarily at Marie Antoinette.

As for Vigée Le Brun, her growing wealth and her ties to the unpopular queen made her a vulnerable target. Did she fully understand, Fumaroli wonders, the symbolic power of that

superb manifesto of *manly* revenge, in the style of *antiquity*, that her friend David exhibited at the 1785 Salon: *The Oath of the Horatii*,... where the overwrought women are thrust back with their children into their housewifely sphere and where the republican heroes, brandishing their swords, seem to defy the world of women...

—the world of women that Vigée Le Brun had so glorified?

The political atmosphere worsened rapidly and she felt herself to be targeted directly when she found insults scrawled on the walls of her house. On July 14, 1789, the Bastille fell. On October 6, Versailles was overrun and the royal family returned to Paris as prisoners of the people. That same evening, Vigée Le Brun left Paris for Italy with her daughter. She was not to return for twelve years.

Having fled the French violence, she discovered, to her relief—over the course of a lengthy exodus that took her from one court to another, in a Europe suffused with the spirit of the French eighteenth century—that everywhere she went she was welcomed warmly. Potential clients sought her out persistently, in spite of the

stratospheric fees that she staunchly refused to lower. She spent six years in Russia, the furthestmost point of her exile.

She returned to France, under the Empire, in 1802, in possession of a considerable fortune. Her husband, who had shrewdly divorced her during the Revolution in order to avoid the confiscation of his assets, welcomed her back to their longtime home and they resumed living together, bound more by interest than by affection.

She went back to work, but fashions had changed. Vivant Denon, director of the Louvre, wrote to a friend, "Le Brun is... no longer the leading female artist of France. There are other as-



Élisabeth Louise Vigée Le Brun: Joseph Vernet, circa 1778

tonishing ones who are quite young." She traveled to London in 1803 and painted, among others, the Prince of Wales and Lord Byron. When she was rudely criticized by a fellow painter, John Hoppner, she replied with great dignity:

However much you might disparage my pictures, all the worst you could say of them would be less than I think. I do not suppose that any artist imagines he has attained perfection.

Upon her return to France, though saddened by the gloomy atmosphere of a society once so gay and free, her enthusiasm for her work did not wane. Commissions never stopped. She also traveled to Switzerland, where she devoted herself to landscapes, but only a few examples of this aspect of her work have been preserved, though she probably did over two hundred, mainly in pastels. At the age of nearly eighty, having finished her last portrait three years earlier, she finally sat down to write her memoirs.

Written with a light touch, the memoirs make clear all their author's energy and optimism. The book is one last portrait of a privileged Europe bound to disappear, a canvas from which she dispels the shadows. It was an unques-

tionable success but a certain whiff of frivolity offered the critics a tempting target. One hundred years later, the book felt the sting of Colette's sharp pen. She wrote a sarcastic parody, mocking the artist's stunning volume of production, and her gift for holding tragedy at arm's length.

Vigée Le Brun was pretty, talented, intelligent, and rich. That may not necessarily be the ideal formula for attracting universal approval. To judge from her first biographers, men saw her as a society portraitist whose art owed too much to the "influences" of her male entourage, or else "a charming woman, a charming artist, with a skill" for finding pictorial formulas that stir the emotions and sufficiently canny to "dictate her judgments to posterity." And in fact, as André Blum noted in his 1919 biography, there is "an element of contempt... in the glory that men assign to women. They celebrate nothing of them but their beauty."

Even so, women haven't always been much more charitable, and they've contributed to what Bailio calls her bad reputation. The memoirist Mme de Boigne, in a surprising judgment, found her "rather foolish." Simone de Beauvoir saw her as a narcissist, and said she "never wearied of putting her smiling maternity on her canvases." An odd line of attack, considering that she painted only two self-portraits with her daughter.

Vigée Le Brun certainly poses a problem for any feminist interpretation, inasmuch as she never felt her femininity as a hindrance to her career and her creativity. The best way to judge her however is to look at her work. At the Metropolitan Museum exhibition, one can see her audacious use of color—in the portrait of Countess Samoilova she uses side by side crimson, red, and orange—as well as the prowess and imagination with which she renders fabrics, jewels, and headpieces, the most amazing of which, placed on the head of Princess Golitsyna, is a turban transfixed by an aigrette. One also sees the masterful treatment of light and shadows on her sitters' faces as well as the faintest vein throbbing on a forehead.

One might weary of rooms filled with portraits of young and smiling ancien régime beauties, the only portraits of old ladies included in the exhibition being those of the two surviving daughters of Louis XV, if it were not for the portraits of men interspersed with them. These portraits show the vigor and psychological insight of which Vigée Le Brun was capable when the sitter's face suggested intelligence and strength of character. The vividness of the portrait of Calonne, Louis XVI's minister of state, the air of authority of Alexandre de Crussol, and the moving honesty one recognizes in the portrait of her friend and supporter Joseph Vernet are proof of the scope of her exceptional talent.

—Translated from the French by Antony Shugaar





Tennessee, 1976

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## Black Deutschland

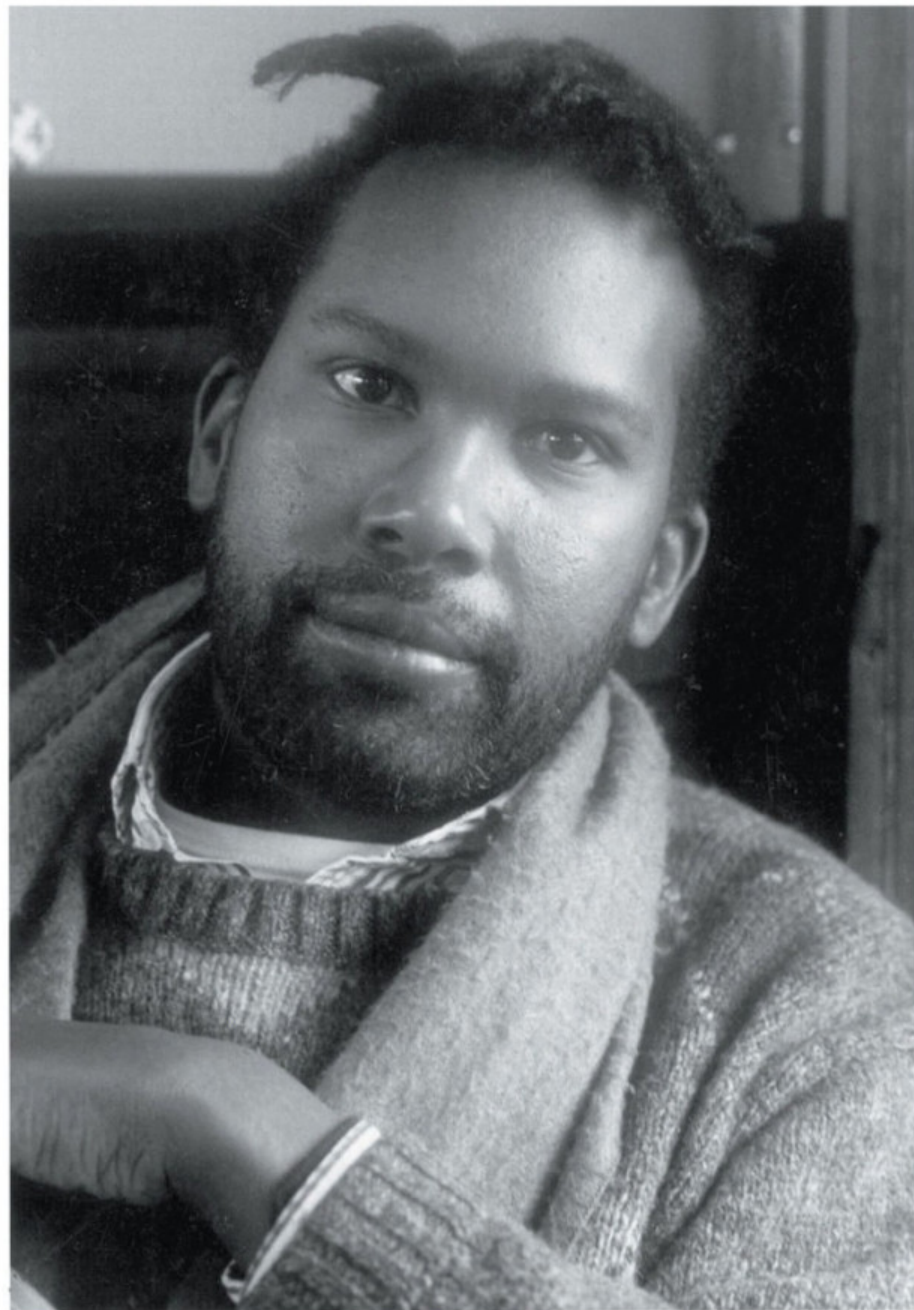
by Darryl Pinckney.  
Farrar, Straus and Giroux,  
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Darryl Pinckney's *Black Deutschland* begins and ends with a book, a book its protagonist Jed Goodfinch tells us from the start was "the wrong book": Christopher Isherwood's *The Berlin Stories*, whose vision of gay life in Weimar Berlin has imparted to this young black man "the daydream of being the rootless stranger in Berlin who seduced tough German boys." The itinerary is declared from the first paragraph, as if to suggest that what awaits is a picaresque voyage of self-discovery, or indeed of self-reinvention. The time is "the awful 1980s" and the West Berlin to which Jed travels is the cold war outpost and bohemian magic kingdom of the Brezhnev era.

The Chicago-born Jed informs us: "I may have fallen apart in the city of my birth, but the city of my rebirth would see me put back together again." It is not revealing too much to say that no such clearly signposted or seamlessly affirmative story is underway. Jed's narrative is splintered and conflicted from the outset, as it moves toward an imagined Berlin future while being constantly tugged back toward an inescapable past in Chicago, and the complexities thicken as he fills in—not in linear order but by the corkscrewing play of associations—the details of his life in both cities.

Jed comes from a family of strivers and high achievers. His uncle is the founder of a once highly successful black newspaper whose business manager is Jed's father; his mother is a social activist who invites women in need of shelter (or, as Jed calls them, the "crazies") into the family home; his brother is a corporate lawyer turned futures trader; his cousin is a brilliantly talented classical pianist. Jed has signally failed to live up to such expectations; aside from any disappointment caused by owning up to his family about being "well, that way," he has let himself drift without apparent goal, falling into addictions to drugs and drinking. When we encounter him in Berlin he is recuperating from an earlier disgrace (on a previous shorter visit to the city) fueled by his inordinate fondness for white wine. Renouncing that habit has made him less socially assured, as he notes in a characteristic comment, at once tartly comic and self-lacerating: "When I drank... I entered into any scene where life put me, an expert, a veteran, an old China hand, regardless of what it was about. When not drinking, I disappeared into the cushions."

The opening of *Black Deutschland* finds him back in the city of his dreams determined to make a better go of it. He attends AA meetings, stays—for a time, and in a strained atmosphere—in the home of his pianist cousin (nicknamed Cello for her voluptuous figure), who has settled in Berlin as the culturally connected wife of a wealthy industrialist, and goes to work for a fashionable postmodern architect, N.I. Rosen-Montag, who has enlisted him as a staff writer on a highly publi-



Darryl Pinckney, London, 1991; photograph by Dominique Nabokov

cized project described as "The Interrogation of a City." The latter phrase exactly captures the tone of a certain kind of corporate-sponsored avant-gardism, but also suggests what much of the book consists of, a continuous pointed interrogation not only of Berlin and its variegated cast of posers and seekers, but of Chicago, of families and their hidden sorrows, of America's and Europe's racial and political realities, of the imperatives of desire and addiction. All this is filtered through Jed's own self-questioning with regard to the many identities he entertains, fends off, imagines, or discards in his quest for something like an untrammelled life, a life in which he can at least lose himself in his Isherwood-fueled dream of "white boys who wanted to atone for Germany's crimes by loving a black boy like me."

Jed's Berlin is archetypally that enclave where you are permitted to stop time and hold off commitment to any irrevocable identity—or at least, in collusion with others, to indulge the fantasy of doing so. Everything is temporary, provisional, including the architect's grand project, which ultimately is reduced to a "Potemkin Village" of façades: "Trompe l'oeil after trompe l'oeil showed the arches and long

French windows of elegant, affordable houses that might be there someday." As for Jed's erotic dream, it remains largely aspirational. He spends much of his time in discontented waiting and wandering, nursing a crush on Manfred, "a hunk under a yellow hard hat" who works for Rosen-Montag and unfortunately prefers women. (When he finally does encounter "that thing, out of the blue, a someone into you," it isn't one of the German boys he dreamed of but a West African student with whom he will experience both fleeting bliss and further realms of misprision and ill-placed confidence.)

Shuttling between the "traditional high culture" of his cousin and her husband and the "alternative high culture" of his architect employer, Jed is perfectly positioned to catch fragments of high-cultural chatter (his cousin Cello remarks, "Wagner is a cheap whore who stole everything from Haydn") and marks of subservient influence, as the architect's acolytes strive to emulate "his elegant fitted clothes—black jeans, black T-shirts, black jackets, lustrous black leather overcoats." At every turn there are notations of how, in the smallest encounters, people signal limits or claim territory or keep unsolicited intrusions at bay.

Jed finds his real home, however, in the less confining world of the ChiChi,

a cluttered bar owned by a black expatriate: "It was a place where people experiencing a bad night strayed in to finish things off with meltdowns, black-outs, fistfights, seizures. Sex was just the messy afterthought, something to do when daylight hit." The book circles back repeatedly to the surf-like rhythms of a bar where something is always happening but nothing really progresses, a theater of accidental encounters taking place outside of time. Many lives feed into the life of the barroom, and it is here if anywhere that Jed can step outside the contingencies of his own life by immersing himself in the lives of others. Later he describes the ChiChi as looking "like the inside of a shoebox of secrets." This too might be a description of the novel itself, narrated as it is by someone who tells us that "to lie and to keep my own secrets had been the chief strategy of my life."

Many secrets will emerge, but not all at once. For all the narrator's candor, there is also an artful withholding going on, always leaving open the possibility that it is from himself that Jed is withholding them. Some of the secrets have to do with connections among the people he knows in Berlin—hidden drug use, hidden liaisons, the betrayal of the one fully satisfying love affair that Jed manages—connections of which he becomes aware only gradually, and sometimes painfully. A map is being built up out of points of connection, but these are delivered elliptically and out of sequence. Beyond or beneath the secrets of Berlin lie the secrets of the Chicago that Jed left behind. A book about looking for the future in one city turns out to be just as much about the inescapable past in another.

The center is not Berlin, with flashbacks and interludes in Chicago; the center is somewhere in the unbridgeable distance between Chicago and Berlin. The interplay between the two cities establishes the deep music of *Black Deutschland*. The distance is made explicit in a scene where Jed, venturing to make a formal presentation to the architect and his followers, tries vainly to persuade them of the significance of the White City, the "fantasy town" constructed in Chicago for the World's Columbian Exposition of 1893, an impermanent city like Berlin itself. He puts forward intellectual arguments to make the case to the indifferent Germans, but the heart of what he is trying to convey is rooted in "a tattered bound book of souvenir portfolios" belonging to his parents, a book that had absorbed him in childhood.

The Berlin scenes can seem like deliberately disconnected montage or rough-edged collage, as if nothing could be more desirable than freedom from built-in connections and their obligations, in a city where the people Jed observes in a plaza on his first arrival "looked like they'd met at the train station a few minutes before and had walked over to conclude unsavory transactions." By contrast the scenes in which Jed remembers or returns to Chicago feel like the pro-

Dominique Nabokov



gressive uncovering of the layers of a family's story. If the Berliners bounce randomly off each other like subatomic particles, the people who make up Jed's extended family are tied by memories that go back generations, memories often unspoken and imbued with different kinds of pain and failure.

So many in Jed's family have struggled to establish a place for themselves, to go beyond the limits set by a white society, yet finally he is overwhelmed by the sheer weight of what the cost has been: a patriarch grown delusional, a father lost to alcoholism, a son lost to violent madness, the blighting of Cello's potential career—she who had “represented Negro Achievement, whether a National Merit scholar in high school or a finalist in the Chicago Stokowski Society competition”—by crippling anxiety. In the midst of this Jed is always the acute and alienated observer, reconstructing the personal histories of everyone in the family with compressed precision, charting fault lines and limits. He revisits his difficult relations with his mother (“I had denounced in rehab her social activism as a species of child neglect”) and registers his own early and incommunicable hurt at feeling different from the rest of his family:

Because I was darker than my brother and my parents, to my way of thinking, had I been able to put shame into words back then, they had an expectation of acceptance I was denied. They would always look like decent people, the right sort of black people, whereas I had to talk for a few minutes before

white people decided not to throw me out of wherever I was.

As often in this book, some of the most poignant moments arise from the contemplation of objects and furnishings that become emblems of lives. Jed looks in his parents' home at the “ribcage-high shelves of oversize illustrated books about black American history, Africa, television, the stockyards, and baseball,” and sees “the lobby of a bygone rooming house or the waiting room of some settlement charity.” It is in the contemplation of his place of origin that Jed reveals most candidly who he is, and why, for all the love and encouragement his family had to offer, he needs to be somewhere else: “There was no there where I came from anymore.” The delayed and out-of-sequence way in which this family chronicle emerges—a novel within a novel that compresses to maximum effect the amplitude of some much longer multigenerational narrative—meshes with the intricate cross-cutting in time as well as space that marks the whole book.

What begins as a seemingly straightforward account is progressively complicated by the spiraling patterns of memory and belated understanding of what occurred earlier. Kierkegaard's dictum to the effect that life must be lived forward but can only be understood backward suggests the peculiar roundabout, stop-and-start rhythms. A world is built up out of fragments of perception. Oblique glances reconstruct other people's histories on the basis of a half-seen encounter on the other side of a barroom or an overheard remark at a concert. Standing back on

the sidelines of a crowded family gathering, Jed watches with detachment as his father, a man not gifted at small talk, does his best to fulfill the spirit of the occasion as he makes his way among the guests: “What he was doing was revolving from the kitchen through the dining room to the living room and back, clapping the same dozen people on the back and saying anything that seemed jolly, spirit-keeping.” Such illuminations arise under the pressure of the moment, not dramatic climaxes but sudden temporary clarities.

In a recent discussion, Pinckney likened his central character to “those rootless losers of Dostoevsky.” Of those underground men Jed certainly has the bitter alertness, the capacity for abrasive self-analysis, the humorous parading of any perceived snubbing and condescension dealt out to him, the savoring of contradictions, the rude skewering of whatever seems feigned. He displays an unerring sense of fumbled advances, unwitting exclusions, mutually misunderstood conversations. He assembles notes for a taxonomy of social tactics, Berlin edition. He charts the way a shared reference point—David Bowie or the Lockerbie bombing—can become something that separates rather than brings together. Every celebration hovers on the brink of breaking apart into violent conflict or public humiliation. Jed's residence in a left-wing commune provides the occasion for a series of sharp and sometimes hilarious sketches of small-scale ideological maneuvering.

Jed is also presented as a mine of historical consciousness. If he has not

always acted appropriately, he has read deeply, and if he has not found a life that suits him he has taken the measure of other lives. A box of books makes its appearance from time to time, a prop that is almost a secret character since the novel is so thoroughly infused with the life of other books, other chronicles. The historical and contemporary figures in Jed's interior discourse—Frederick Douglass, W.E.B. DuBois, Rosa Luxemburg, Philippa Schuyler, Nina Simone, Cecil Taylor, Susan Sontag—provide a home more real than the phantom city of Berlin. They serve as reminders of change while he lingers in a pocket of the world that fends off the possibility of change.

The counterpoint between the ongoingness of subjective experience and the rude interruptions of outside events (a disco bombing in Schöneberg, Chernobyl, the Salman Rushdie affair) reaches its culmination in the fall of the Wall. But the epochal moment, when it comes, turns out to be a bit of a fizzle—Jed scrambling “to get to the noise, to where the party was going on”—followed by hangovers and nasty turf wars. History unfolds as always in the midst of distraction, misunderstanding, and partially obscured sight lines. Jed finds himself—or finds himself still lost—in a city abruptly awoken from a long dream that was also in part his dream. Earlier in the book he had recalled: “My dad said that one of the worst feelings in the world was that of not knowing what was one's calling, one's path.” We are left at last with Jed's refusal to make peace with any of the unacceptable choices the world has offered. □

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# My Koran Problem

Garry Wills

In the summer of 2015, I was asked by the directors of a university political science program to lecture about Americans' attitudes toward Islam. I asked at the beginning how many in the audience (of about eighty students and faculty) had read the Koran. Four hands went up. Later, at lunch with faculty members, I was asked if the small number of politics students who knew the Koran surprised me. I had to answer, "Yes and no." Yes, because 1.6 billion people live by this book, try to memorize it, quote it against each other as well as against the outside world. And now we are engaged in tense—potentially hostile—engagements with Muslims around the world. It made sense in dealing with Germany before World War II or with Russia during the cold war for serious people to have read *Mein Kampf* or *Das Kapital*. Yet many of those fighting for Germany or Russia had themselves not read *Mein Kampf* or *Das Kapital*. The same cannot be said of Muslims and the Koran.

But I could not feign surprise that others had not read the Koran, since I was slow to begin reading it and even slower to work at less inadequate readings of it. Not long after President Bush's invasion of Iraq in 2003, I was asked by a friend if I had ever read the Koran. I was embarrassed to answer her, "No." I have spent most of my life studying in one way or another both Jewish and Christian texts and practices. It was ridiculous that I would remain completely ignorant of what a quarter of the world's people not only believe in but live by (in different ways).

Jointly the two leading religions, Christianity and Islam, number over half the inhabitants of the globe—2.2 billion Christians (31 percent of the population), 1.6 billion Muslims (23 percent of the population). By 2050 the numbers will be roughly equal.\* Yet few Christians know or care about the Koran—a fact to which I bore melancholy testimony. And even now my reading of it continues to be uninformed on many levels. How, then, can the two most believing communities in the world communicate over such a high wall of ignorance? That would not matter if you believe (as some still do) that religion is not important in world affairs. This can, however, be a perilous attitude, as we found out in invading Iraq with little or no knowledge of the Sunni-Shia divide there. George Bush and Dick Cheney had clearly not read the Koran, or any of the traditions (*Hadith*) of Islam. But can the rest of us live down to that terrifying ignorance?

So I began, dutifully, reading the Koran, ten years ago. But I found it hard going, with few obvious organizing principles. It is a series of disjunct revelations made to Muhammad, as recorded by his followers on pottery shards or other handy surfaces. These were transferred to paper, then arranged by followers after Muhammad's death, not in chronological or topical

order but, *faute de mieux*, according to length (longer ones earlier, shorter ones toward the end).

Apart from the lack of an organizing outline, I found it hard—without a constant teasing out of context—to know who is saying what to whom. The originating voice is Allah's, that is, God's, but sometimes it is conveyed through Jibrail (the angel Gabriel). Sometimes it is Allah speaking directly to Muhammad about his own duty, his own family, his own confidence; but more frequently it is Muhammad passing on Allah's message to his fellow worshipers. At rare times, some new and unidentified voice seems

like the early Muslims in their barren landscape. I finally found one way to fix my attention to the book in a more systematic way. From the outset I recognized its variations on stories I already knew—of the first man and woman and their fall from divine favor, or accounts of Noah's flood, of Moses's passage through the Red Sea, of Shaytan (Satan, also called Iblis) as a fallen jinni, and many others. These stories intrigued me by their twists on the familiar (as in a funhouse mirror).

I should not have found this surprising. There are many more prophets than Muhammad in the Koran: Abra-



A Muslim woman asking for protection from black magic inside the shrine of Abba Ruwais, a Copt saint, Cairo, Egypt, 1997

to join the mix (e.g., 33.22, 66.4–5). The message is often what "We" teach or demand—but is that "We" Allah and Jibrail, Allah and Muhammad, or just Allah using the royal "We"?

The titles later given to chapters—suras—are not helpful. As often in oral cultures, they can refer to a catchword in the sura, or an oddity there, not the sura's main theme (when there is one) or principal event. "The Ants" is the title of Sura 27, not because that is the subject of the whole chapter, but because it is odd enough to be a hook for calling up a memory of it. The book, long as it is, is made for memorizing.

The militarism, sometimes savagery, of the book is shocking. Muhammad is leading a minority tribe worshiping the one God, Allah, against many believers in many gods. He is upholding a new and an embattled cause, just as ancient Jews upheld (sometimes savagely) the worship of Yahweh against many idols and their devotees. There are peaceful Koran passages (mainly the revelations first begun in Mecca) and warlike passages (mainly revelations continued in the Prophet's displaced base of Medina). I clearly have to learn more about tribal conditions in seventh-century Arabia. And, of course, I am kept at a distance from the text by my ignorance of the Arabic language.

Still, I thought it my duty, along with others who share my ignorance, to make what I could of such an important book. So I kept at it, even while often being bogged down. I was wandering in my own little mental desert,

ham, Aaron, Ishmael, Isaac, Jacob, Joseph, Job, Lot, Jonah, Solomon, David, and Jesus. Even Adam is a prophet, with whom Allah formed his first covenant. Since there was only one God speaking to all of these prophets and messengers, and what he told them was true, there is a consistency in the messages: "You [Prophet] are not told anything that the previous messengers were not told." It will be noticed that all the prophets down to Muhammad are from Jewish scripture, and that Muhammad knows what Christians sometimes forget, that Jesus was a Jew. The New Testament is based on the Old—Allah says, "We gave Moses the Scripture and We sent... Jesus, son of Mary"—though it adds some features that the Koran also incorporates (like a Last Judgment, with clear division between heaven and hell).

This gave me a hint on how to bring some focus to my reading, which had been wayward to that point. I started the Koran over again, this time marking O in the left margin and N in the right—for Old Testament and New Testament. Soon the margins were full of these marks, and I had a way to reconsider each passage that was flanked with one or other of them (frequently with both). This brought what had seemed exotic to me a little closer for exploration.

I found, in general, more Os than Ns in the margins, though often the N story had absorbed the O one. But as a Catholic, I was surprised to see how often I was jostling along with the Muslims described in the Koran. We both, for instance, have a devotion to Mary, the mother of Jesus. Muslims too be-

lieve in her perpetual virginity and sinlessness. When she is told that she will bear Jesus without a human father, Suras 3 and 19 closely resemble the account in the Gospel of Saint Luke.

In Luke, the angel Gabriel appears to Mary and says:

Hail, most favored woman, the Lord is with you.... Highly favored of God, you shall conceive and bear a son, and you shall give him the name Jesus. He will be great; he will be called the Son of God.... The Holy Spirit will come to you, and the power of the Most High will cover you over; so the holy child born to you will be called the son of God.

In Sura 3, a favored delegation of angels appears to Mary and says:

Mary, God has chosen you and made you pure. He has truly chosen you above all women.... God gives you news of a Word from Him, whose name will be the Messiah, Jesus, son of Mary, who will be held in honour in this world and the next, who will be one of those brought near to God.

In Sura 19 Allah sends "Our Spirit, in human form," to tell Mary: "I am but a Messenger from your Lord, [come] to announce to you the gift of a pure son." As Mary is the greatest woman, Jesus is the greatest of the prophets before Muhammad. According to Sura 3.48, Allah himself "will teach him [Jesus] the Scripture and wisdom, the Torah and the Gospel. He will send him as a messenger to the Children of Israel." And in Sura 2.87, "We gave Jesus, son of Mary, clear signs and strengthened him with the holy spirit." Muslims even believe, like us Catholics, that Jesus is the second Adam, a new creation born without a human father. He is the pledge of Resurrection for all: "God raised him up to himself."

God said, "Jesus, I will take you back and raise you up to Me. I will purify you of the disbelievers. To the Day of Resurrection I will make those who followed you superior to those who disbelieved. Then you will return to Me."

According to the traditions (*Hadith*), though not to the Koran, Jesus will come again at the end of the world to defeat the Antichrist.

Even in my amateur reading of the Koran, these passages destroy the idea, propagated by some, that Jews and Christians are infidels, to be killed by devout Muslims. How can that be, when Allah sent Jesus to teach Torah and Gospel? Allah himself "sent down the Torah and the Gospel earlier as a guide for people." Prophets of the Lord do not kill other Prophets of the Lord. It is true that both Jews and Christians have deserted the Torah and the Gospel—as Muslims are deserting the Torah; but the Ever Merciful calls Jews and Christians and Muslims back to repentance. "The [Muslim] believers,

\*Pew Research Center, "The Future of World Religions: Population Growth Projections, 2010–2050," April 2, 2015. For additional footnotes, see the Web version of this article at [www.nybooks.com](http://www.nybooks.com).



# “FEARLESS ENGAGING PLAYFUL PROVOCATIVE”

—Robert Heasley, editor of *Sexual Lives: A Reader on the Theories and Realities of Human Sexualities*



## READING FROM BEHIND: A Cultural Analysis of the Anus by Jonathan A. Allan

In a playful, yet scholarly, romp through low and high culture, **Reading From Behind** asks why—since we all have one and use it every day—do we squirm at the mere mention of the anus?

“An excellent read not just about the ‘behind,’ but about representation and the meaning-making we do about the human body, and more specifically, about masculinity, sexuality, power, and relationships. This book is for anyone coming to grips with the complexity of gender and sexuality.”—Robert Heasley

“**Entertaining and informative.**” —Merrill Cole, author of *The Other Orpheus: A Poetics of Modern Homosexuality*



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the Jews, the Christians, and the Sabians [monotheists] . . . will have their rewards with their Lord.”

Covenant after covenant has been broken, we are told, but God continues to have mercy on those he called in the first place. He reaffirms his own covenants: “Children of Israel, remember how I blessed you. Honour your pledge to Me and I will honour My pledge to you: I am the One you should fear.” In Sura 2 Allah remembers with pride all the things he has done for the Israelites. I am told that the Koran is written in a musically beautiful language. I cannot judge that, but I trust the literary taste of a God who boasts, repeatedly, that he gave David the Psalms.

Catholic authorities used to claim that the New Testament had superseded the Jewish covenant; but the Second Vatican Council denied that God goes back on his promises to the Children of Israel. In the same way, some thought that Muhammad had replaced all the earlier prophets. In the Koran, he is called “the seal of the prophets,” not because he canceled all other messages but because he confirmed them:

In matters of faith, He [Allah] has laid down for you [people] the same commandment that He gave Noah, which We have revealed to you [Muhammad] and which We enjoined on Abraham and Moses and Jesus: “Uphold the faith and do not divide into factions.”

Allah deals with individual peoples in individual ways, giving them a revelation in their own language, Hebrew for Jews, Greek for Christians, Arabic for Muslims:

We have never sent a messenger who did not use his own people’s language to make things clear for them. But still God leaves whoever He will to stray, and guides whoever He will: He is the Almighty, the All Wise.

God sends messengers to every people on earth: “Every community has been sent a warner.” “We have appointed acts of devotion for every community to observe.” Each of the prophets is assigned to his own people:

The Messenger believes in what has been sent down to him from his Lord, as do the faithful. They all believe in God, His angels, His scripture, and His messengers. “We make no distinction between any of His messengers,” they say, “We hear and obey. Grant us Your forgiveness, our Lord. To You we all return!”

In fact, according to the Koran, which constantly appeals to all God’s prophets, not just to Muhammad, Islam is far more generous to the idea of prophecy than are many Christians.

Wheaton College, a rightly respected evangelical school, is readier to denounce false prophets than was Muhammad. During Advent in 2015, a tenured professor of political science, Larycia Hawkins, was negotiated out of her tenure when she quoted Pope Francis as saying that Christians and Muslims “worship the same God.” She did not quote the Koran alongside the Pope, but she could have—Allah “sent down the Torah and the Gospel” as well

as the Koran. That is reason enough for ecumenical relations between believers.

How many Gods are there, after all? Monotheists may call the one God by different names—Jahweh, or Allah, or Abba. But they are not addressing different deities. There is only one. Admittedly, Christians say that Jesus is not only a prophet but the Son of God, a title Muslims think a reversion to polytheism. But to say that Jesus is more than a prophet does not deny that he is a prophet too, bringing God’s message to mankind. We can build on that agreement rather than insult what others worship. If there is only one God, we are rejecting him if, unlike the Pope, we denounce Allah.

The emphasis on purity, piety, and virginity in the cult of Mary says a great deal about the values of Islam. Dr. Hawkins at Wheaton observed the Christian Advent by wearing the Muslim hijab (headscarf) to express her comradeship with Muslim women. This is like non-Jews wearing a yarmulke in synagogue to express respect for the house we are in. Though some people are now resentful of the hijab, we should remember that religious ties are often expressed in shared clothing. When I was a child, no woman could enter a Catholic church without covering her head, and no man could enter without uncovering his. Sometimes the clothing is not normally visible—our Catholic scapulars (bits of cloth with holy pictures strung around our necks), or Mormon baptismal whites. Many Christians wear crucifixes around their necks.

Why should we wonder that the Koran prescribes modest dress as a sign of community with the believers? “Prophet, tell your wives, your daughters, and women believers to make their outer garments hang low over them so as to be recognized [as Muslims] and not insulted: God is most forgiving, most merciful.” The code of modesty does not apply only to women. Men too are told to observe it:

Tell believing men to lower their eyes and guard their private parts: that is purer for them. God is well aware of everything they do. And tell believing women that they should lower their eyes, guard their private parts, and not display their charms beyond what [is proper] to reveal; they should draw their coverings over their necklines and not reveal their charms except to their husbands, their fathers, their husbands’ fathers, their sons, their husbands’ sons, their brothers, their brothers’ sons, their sisters’ sons, their womenfolk, their slaves, such men as attend them who have no desire, or children who are not yet aware of women’s nakedness.

Muslim women are meant to express in their dress and other ways the purity that will be theirs in heaven: “There [in heaven] will be maidens restraining their glances, untouched before by man or jinn.” Some Muslim women carry the modesty code to an extreme by wearing the niqab, which leaves only the eyes exposed, or the burqa, which veils even the eyes behind a mesh, though this is a minority practice and has no basis in the Koran.

Even those practices do not seem so odd to me, since I was educated in

grade school by Dominican nuns. Their uniforms (“habits”) were evidently designed to obliterate any sign that they had breasts, or waists, or hips, or hair on their heads. Their faces were tightly framed in starched linen. The *Hadith* says that heaven’s virgins (*houri*) will not menstruate, urinate, or defecate. I am sure it never occurred to us boys that our nuns did any of those things (if we had even heard, yet, of menstruation). They were almost inhumanly pure. That is pretty much what the women are in the Islamic heaven. They are restored to the prime of life, to virginity, to their husbands—“maidens of matching age [with their husbands].” “With them [the men in heaven] will be spouses—modest of gaze and beautiful of eye—like protected [ostrich] eggs.” Protected ostrich eggs, dazzling white,



“The angel Gabriel revealing the eighth sura of the Koran to Muhammad”; illustration from the *Siyar-i Nabi* (*Life of the Prophet*), commissioned by the Ottoman sultan Murad III, 1594–1595

suggest another reason for the hijab, niqab, or burqa in a desert culture—to prevent women from being tanned the color of tough leather. Heavenly women cannot be “rednecks.” In heaven everyone has a renewable virginity—“untouched before by man or jinn.”

This scant report on the women of heaven in the Revelation (Koran) is expanded in the reports of Tradition (*Hadith*), where virgins (*houri*, always plural) are pure white, modest of eye (like gazelles), refined, and delicate. They are not sensually gross but rather shining and clearly understandable ideals. Men look at them with spiritual vision—they can see their bones (not just their bones, but all the transparent parts of them). These ethereal creatures are like William Blake’s feminine spirits spiraling in air.

Such attempts at a new way of seeing the world of the spirit certainly seem odd at first. But I had to reconsider when I remembered Augustine of Hippo’s description of heaven in *The City of God*. He too said that the saved people would have spiritual eyesight to look on spiritual bodies. After rejecting his earlier Manichaeism, which said that there was substantive evil in the world, Augustine defended all things God created as good before sin destroyed their harmony. There was no place in Augustine’s world for an original bad thing. Even in our fallen world, there are traces of what was entirely admirable when it was created. Even worms are marvels of integrity and design. Augustine upped the ante when he said that all parts of the human body were originally good and beautiful:

Everything in the body was created not only apt for function but attractive in form. That would be clearer to us if we grasped the mathematical principles that fit every part of the body to every other part. Perhaps human ingenuity can understand these principles as they apply to the body’s outer aspect, but the inner workings, where our eye cannot penetrate—the intertwining (*perplexitas*) of veins and nerves, the vital action of the bowels—we cannot [now] discern. . . . How can I describe the mathematics I am talking about—formulas of cooperation, what the Greeks call *harmonia*, making the whole body, inside and out, act as one. . . . If a person perceived these principles, even in the deepest bowels, which seem improper [lacking *decus*], the beauty of this operation would surpass any beauty pleasing the eyes, because it satisfies the mind that uses the eyes.

That is the description of the body before it was made crystalline in heaven, where the spiritual gaze will resemble that of Superman, able to see everything, inner and outer.

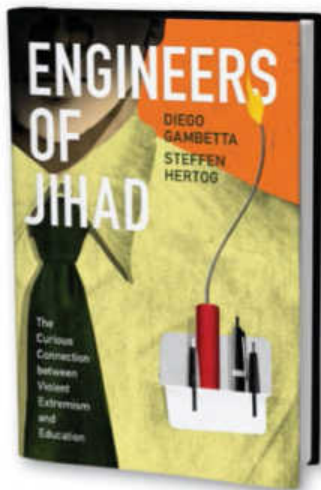
This way of thinking about heaven is a kind of theological science fiction. Both Christians and Muslims are forced to be so daring because they both believe in the resurrection of the body. The risen body will not, in both systems of theology, be subject to degeneration or decrepitude. In fact, resurrection will reverse all the actions that undo an earthly body, minute by minute. Both religions treat heaven as a second creation in which humans will have bodies that are even closer to the ideal form than the bodies of Adam and Eve. Admittedly, this world of rational imagination is based on some preexisting beings in the actual world experienced by Christians in the West and Muslims in the East and West. Broadly speaking, Christianity sees heaven as the City of God, a higher polity with an ethereal citizenship. The desert culture of Islam sees heaven as a garden perpetually rinsed with purifying waters.

These strenuously spiritual ways of visualizing heaven could not be farther from the hedonistic visions of some Muslims and Christians who just see heaven as earthly pleasures multiplied. A good example of the latter is the widespread view that the murderers of September 11, who prepared for their vicious mission by getting lap dances in a strip club, anticipated their martyrs’ reward of seventy-two virgins waiting to give them lap dances in perpetuity. Even before I began reading the Koran, I knew enough about Muslim scholars and philosophers to realize they could not believe in this adolescent’s fantasy. When I did begin reading, I saw that everyone in Muslim heaven is a virgin, fresh from God’s creating hand.

Then where did the number seventy-two come from? The number comes up in one strain of *Hadith* that denies there will be any class divisions in heaven. It says that even the humblest people will have 80,000 servants and seventy-two *houri* waiting on them. These are clearly eschatological numbers signifying abundance. The more specific martyr’s reward of seventy-two virgins, reported in some strains of the *Hadith*, “is not reliable at all according to leading Sunni Hadith scholars,” says



# Changing the Conversations that Change the World



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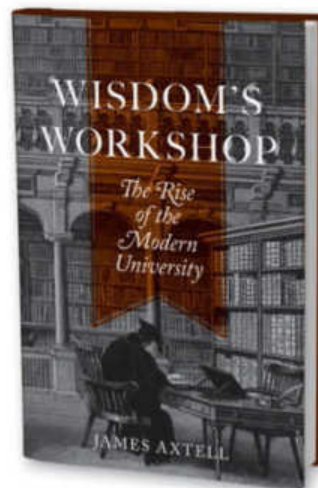
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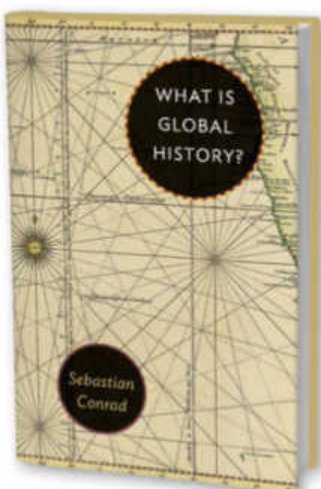
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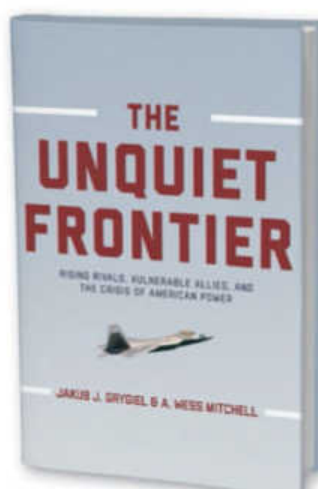
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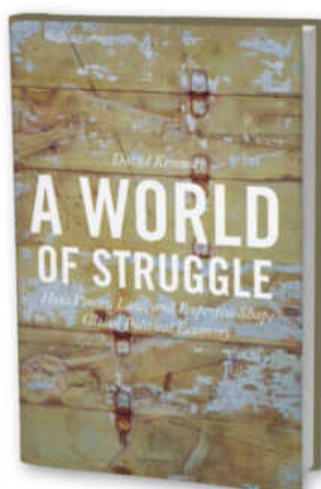
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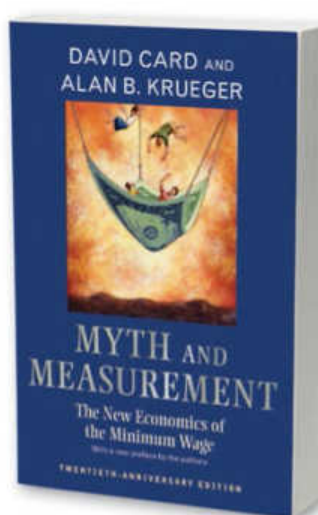
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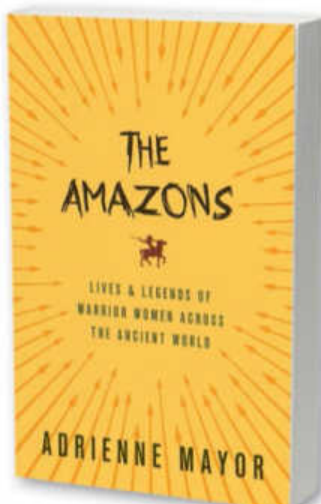
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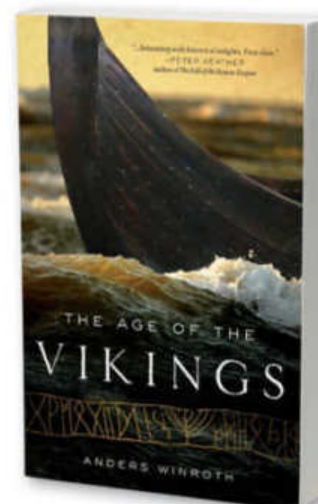
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—Philip Parker, *Literary Review*

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Jonathan A. C. Brown. The September 11 attackers seem to have taken their views from Osama bin Laden, who is not a trustworthy exegete of Islamic theology—the way some people take their picture of Islam from the propaganda of the Islamic State, though over 120 Muslim scholars denounced these so-called Islamists for across-the-board violation of Muslim teachings.

It is easy to get a distorted impression of the Muslim religion from the loud words and actions of their extremists. Some attributed the September 11 attacks to Muslims in general, or to Islam itself. The Gallup organization tested

this notion in one of its most extensive and expensive international polling operations. It mounted surveys in thirty-five predominantly or prominently Muslim countries, asking over a billion Muslims if they approved or disapproved of the attacks on September 11. Fully 93 percent of the respondents disapproved of the attacks, while only 7 percent approved. Significantly, the 93 percent disapproved on religious grounds—that is, because of Islam. Most of the 7 percent approved on political grounds (because of things like resentment of colonial powers in their land).

I do not want to make my attempts at understanding the Koran become an apologia for it. I am repelled by some

aspects of the book—the acceptance of slavery, of polygamy, of patriarchy, of war—but I take heart from the fact that many Muslims are repelled by these things too. After all, there is slavery, polygamy, patriarchy, and war in the Old Testament—and Jews have even more reason to be repelled by that than I do. To understand others' religion is to empathize with the problems he or she has concerning it. Religion is a dangerous thing—like sex, and love, and marriage.

When I hope that others will sympathize with my religion, I am counting on them to hate as much as I do the systematic rape of young boys carried out by Catholic priests worldwide, and

the systematic protection of these rapists by cowardly and careerist bishops. That attitude is not “anti-Catholic,” any more than condemnation of Arab terrorism is “Islamophobic.”

Though Christians and Jews have reciprocating ignorances, I think we Christians begin with the greater deficit of knowledge—certainly I do. I knew really nothing about the Koran. But those who do know the Koran have quite a bit of knowledge about Torah and Gospel, since Allah sent them both to earth before he sent the Koran. They belong together. Not every Muslim remembers that; but we Westerners cannot even remember it unless we learn something about the Koran. It's about time. □

# L'Avventura

Tim Parks

## In Other Words

by Jhumpa Lahiri, translated from the Italian by Ann Goldstein. Knopf, 233 pp., \$26.95

Many readers will be aware of Jhumpa Lahiri as the author of the Pulitzer Prize-winning collection of short stories *The Interpreter of Maladies* (1999), elegant, unsettling tales that invariably draw the reader into a state of anxiety for the welfare of a group of characters living for the most part between two worlds: Calcutta, where Lahiri's Bengali parents grew up, and New England, where they later moved and made a family. Her two novels—*The Namesake* (2003), *The Lowland* (2013)—and a further collection of short stories, *Unaccustomed Earth* (2008), all present lives tensed between freedom and entrapment. Typically, the immigrants, or children of immigrants, with whom we are invited to identify are simultaneously drawn to Western values of independence and individualism while fearing the loss of security provided by a patriarchal society in which decisions of career and marriage are taken very largely by the family.

Lahiri shows great resourcefulness in finding ways to dramatize the conflicting emotions that can arise in people pulled so peremptorily in opposite directions. In the fine story “Hell-Heaven” (in *Unaccustomed Earth*), the woefully homesick Pranab, recently arrived at MIT from Calcutta, accosts an Indian mother and daughter on the steps of Widener Library and manages in very short order to charm his way into their family. The story is told, from a distance of perhaps twenty years, by the woman who had then been the young daughter. Her mother, lonely in the States, clinging to her Bengali origins, is only too willing to welcome Pranab into her secluded world where he reinforces an old sense of belonging, to the point that he is soon being known as Kaku, the Bengali word for uncle, and calling the mother Boudi, the proper way to address the wife of an older brother. He turns up every evening to eat the home-cooked, spicy Indian food that reminds him of home and that the lonely mother is delighted to prepare for him. The relationship would appear to be entirely positive.

However, the mother is marooned in an arranged marriage with a man who won his parents' approval for his emigration only on condition that he marry a Bengali woman first. He is not greatly interested in his wife. The young mother falls in love with Pranab and he seems affectionate to her, in a distracted kind of way; but for these two to move toward a relationship would mean a rejection of Bengali for Western values, something unthinkable for the mother. Eventually, Pranab starts bringing a young white American woman, Deborah, to these Bengali dinners, and even asks his adoptive family for their blessing on his marriage to her, something his own family in Calcutta refuse to grant.

The narrator, meantime, in early adolescence, is drawn to the glamorous Deborah and embarrassed by her mother's apparent backwardness. There is much winding up of unhappy irony with Pranab actually asking to try the ring he has bought for his bride on the mother, while for her part she complains bitterly to her husband and daughter that Deborah is bound to leave Pranab and all will end in disaster. She is wrong. The new couple are soon settled and building a family while she has lost “the only pure happiness she ever felt.” To make matters worse her daughter now seems irretrievably seduced by Western visions of romance.

But Lahiri never allows one culture or the other to emerge as unequivocally preferable. Many years later, it is the opportunist Pranab who will go off with a married Bengali woman, leaving Deborah distraught, while the narrator's mother now has a more affectionate and satisfying relationship with her husband, and the narrator herself, liv-



Jhumpa Lahiri, Rome, February 2013

ing her American life where lovers are freely chosen, is desperately unhappy after her “heart was broken by a man [she'd] hoped to marry.” Ultimately, both ways of life appear equally attractive and unattractive, and above all mutually exclusive. Happiness is unattainable.

Of course, one hardly needs to be caught between Eastern and Western cultures to experience conflicts of this sort. Lahiri is aware of that and, perhaps concerned herself not to be pigeonholed as a postcolonial author, in *Unaccustomed Earth* she introduces a number of similar dilemmas that are not dependent on a cultural divide. In “A Choice of Accommodations,” Amit takes his wife to the wedding of a woman he was once attracted to and finds himself drunkenly confessing to

a complete stranger how suffocating his marriage has become. He needs excitement of some kind. On the other hand, he hardly seems a man to take risks:

Amit...had studied enough about the body to know its inherent fragility [and] was plagued by his daughters' vulnerability, both to illness and to accidents of all kinds.... When he read articles in the newspaper about taxis suddenly swerving onto sidewalks and killing half a dozen pedestrians, it was always himself he pictured, holding Monika and Maya [his daughters] by the hand. Or he imagined a wave at Jones Beach, where he had been taking them once a week during the summer, dragging one of them down, or a pile of sand suffocating them as he was flipping, a

few feet away, through a magazine. In each of these scenarios, he saw himself surviving, the girls perishing under his supervision. Megan would blame him, naturally, and then she would divorce him, and all of it, his life with her and the girls, would end. A brief glance in the wrong direction, he knew, could toss his existence over a cliff.

In sharp contrast to this phobic cast of mind, Pam, the woman whose wedding Amit has been invited to, has always been entirely confident, enjoying any number of affairs and feeling generally comfortable with life, someone to be envied from a distance, and raised to near-mythical status. Indeed, on the one occasion, long ago, when Amit, again in a drunken state, “had worked up the nerve to make a pass at Pam,” she had very kindly



let him understand that he was not in her league.

Lahiri's stories are full of such contrasting pairs, figures who seem related in some way (Amit is fascinated that the last two letters of Pam's name are the first two of his) yet utterly different. In the novel *The Lowland* two Indian brothers born only eighteen months apart are at opposite ends of the fear/courage spectrum. Charismatic and rash, Udayan joins a Maoist insurgency fighting for the rights of tribal peoples while the cautious and dutiful Subhash conforms to his parents' wishes, setting off to the US to study. In the earlier novel, *The Namesake*, the same qualities are brought together in the conflicted young Gogol, son of Bengali parents in the US, who oscillates between American license and Bengali hierarchies. As always, some middle position that might allow a character to feel at once independent yet comfortably protected remains elusive.

All this by way of introduction to Lahiri's most recent book, which to some readers will seem an extraordinary departure. *In Other Words* is a first-person memoir telling the story of the author's relationship with the Italian language, her decision, in her mid-forties, to go to live in Italy for a couple of years, and her struggle to write a book, this book, in Italian. In fact, the American edition presents itself as a parallel text, with the original Italian on the left-hand side and Ann Goldstein's translation on the right, as if it were important that the reader see the actual words Lahiri wrote in Ital-

ian, the other world she has learned to move in.

The book opens with an extended metaphor that immediately brings into play the familiar themes of fear, courage, and independence:

I want to cross a small lake. It really is small, and yet the other shore seems too far away, beyond my abilities. I'm aware that the lake is very deep in the middle and even though I know how to swim I'm afraid of being alone in the water, without any support.

Lahiri tells us how for a month she swims around the edge of the lake, careful never to go out of her depth, rather than directly across it, until, dissatisfied with this cautious approach, she eventually sets out, with two friends for protection, and swims across. Looking back at her husband and children on the other shore, she is "charged with energy" and "elated" by her achievement. She goes on:

For twenty years I studied Italian as if I were swimming along the edge of that lake. Always next to my dominant language, English. Always hugging that shore. It was good exercise. Beneficial for the muscles, for the brain, but not very exciting. If you study a foreign language that way, you won't drown. The other language is always there to support you, to save you. But you can't float without the possibility of drowning, of sinking. To know a new language, to immerse yourself, you have to leave the

shore. Without a life vest. Without depending on solid ground.

Lahiri's love affair with Italian begins in her twenties in the Uffizi museum. Using a pocket dictionary, she manages to convey to a guard that her sister has lost her hat. The hat is recovered. There is a sense of accomplishment, of having ventured successfully into the unknown, and also of gratitude toward the dictionary:

It guides me, protects me, explains everything. . . . It becomes a kind of authoritative parent, without whom I can't go out. I consider it a sacred text, full of secrets, of revelations.

The role of the loyal protector is a constant in Lahiri's world. Later she will speak of the protectors who helped her get her book into correct Italian.

But like one's parents, the dictionary must at last be left behind. Twenty years later, living in Rome, Lahiri finally starts facing the Italian streets without this lexical life vest and comments, "I'm aware of a turning point. A sense of freedom and, at the same time, of loss. Of having grown up, at least a little." This is the tone of Lahiri's memoir throughout, a constant, earnest attempt to convey the profound importance to her of her discovery of Italian:

I feel a connection and at the same time a detachment. A closeness and at the same time a distance. What I feel is something physical, inexplicable. It stirs an indiscreet, absurd longing. An exquisite tension. Love at first sight.

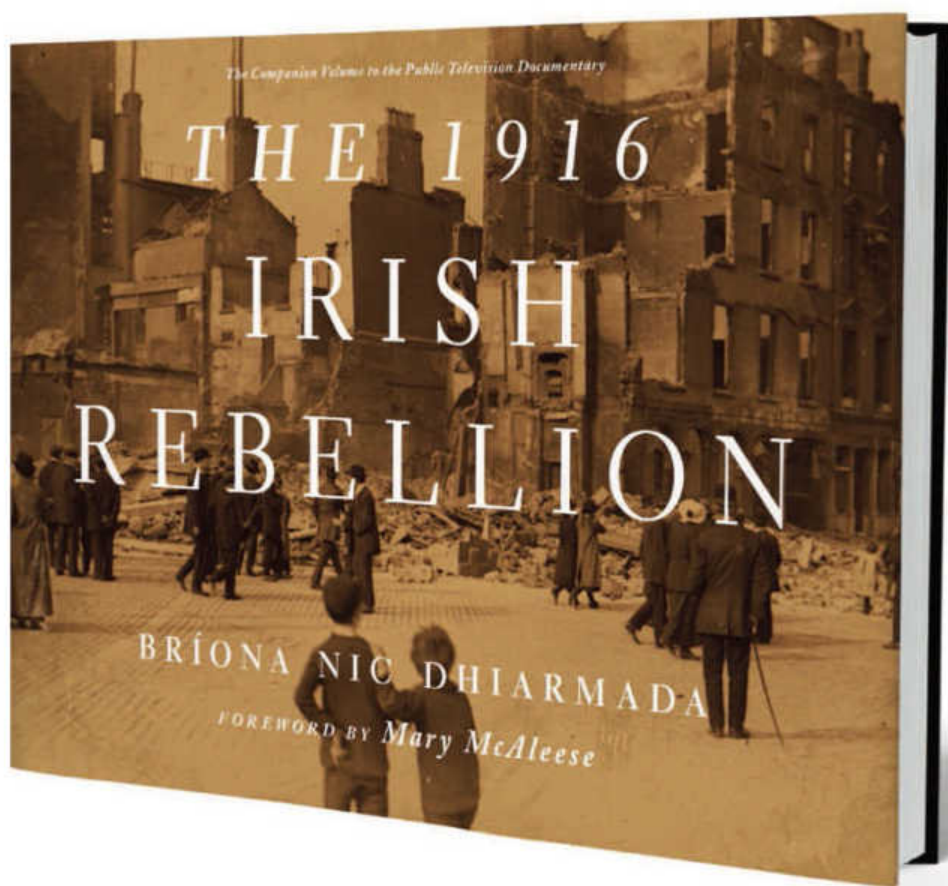
The sense of effort is everywhere apparent: the effort to write in Italian, which has stripped down Lahiri's otherwise artfully meandering, bric-a-brac-rich sentences to the bare essentials, and then the perhaps even greater effort to keep us interested and impressed, often by simply insisting on the intensity of her feelings. It is rather as if we were exploring the emotions of a romantic affair, but without the concrete circumstances:

When you're in love, you want to live forever. You want the emotion, the excitement you feel to last. Reading in Italian arouses a similar longing in me. I don't want to die, because my death would mean the end of my discovery of the language. Because every day there will be a new word to learn. Thus true love can represent eternity.

Sometimes the strategy leads Lahiri to draw some remarkable parallels:

My relationship with Italian takes place in exile, in a state of separation. . . . I think of Dante, who waited for nine years before speaking to Beatrice. I think of Ovid, exiled from Rome to a remote place. To a linguistic outpost, surrounded by alien sounds.

She is referring here to the experience of being back in America, in whose language she is entirely proficient, living with her husband and two children, and wishing she could hear the words of a language she at this point barely knows. Ovid was banished from the



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only world he knew to a settlement on the Black Sea in an era without phones, radio, Internet, or affordable intercontinental travel.

Essentially, in going to Italy and writing in Italian, Lahiri induces a state of vulnerability—linguistic vulnerability—so that she can savor the initial loss of security, gradually overcome her disorientation, and finally enjoy the same elation of achievement she described on crossing that lake. So we hear about the first time Lahiri appeared at an Italian literary festival without an interpreter, of her hard work learning new vocabulary and keeping a diary in Italian, then her frustration when the results are not altogether satisfying, or worse still when a shop assistant replies to her Italian in English, failing to register her profound attachment to the language and all the labor of love it has cost her.

Once settled in Italy, everywhere she goes, Lahiri finds not so much Italy, as images of her own daunting enterprise. Visiting Hadrian's Villa in Tivoli, with its extensive underground passages, she understands

the nature of my Italian project. Like visitors to the villa today, like Hadrian almost two millennia ago, I walk on the surface, the accessible part. But I know, as a writer, that language exists in the bones, in the marrow. That the true life of the language, the substance, is there.

This underground bone marrow of Italian remains elusive to Lahiri. But then “without a sense of marvel at things, without wonder, one can't create anything.”

Visiting Venice she again discovers “a new way to understand my relationship with Italian”:

In Venice I can't go anywhere without crossing countless pedestrian bridges. At first, having to cross a bridge every few minutes is exhausting.... In the middle of every bridge I find myself suspended, neither here nor there. Writing in another language resembles a journey of this sort.

My writing in Italian is, just like a bridge, something constructed, fragile. It might collapse at any moment, leaving me in danger. English flows under my feet.

Of course the bridges of Venice have been with us for some centuries now, while for a more or less native speaker a plunge into the dark waters of English might not be such a terrible thing. Later Lahiri will compare herself to Daphne, who fled from Apollo and was transformed into a laurel tree:

As I said before, I think my writing in Italian is a flight. Dissecting my linguistic metamorphosis, I realize that I'm trying to get away from something, to free myself. I've been writing in Italian for almost two years, and I feel that I've been transformed, almost reborn. But the change, this new opening, is costly; like Daphne, I, too, find myself confined. I can't move as I did before, the way I was used to moving in English. Now a new language, Italian, covers me like a kind of bark. I remain inside, renewed, trapped, relieved, uncomfortable.

Daphne, we recall, was not trapped inside the tree; she became the tree. There was no flight back home.

Later still, Lahiri compares her Italian endeavors to Matisse's decision in his seventies to switch from painting to collage, or more precisely decoupage. Matisse felt “the need to change course.” “I thought of my writing in Italian: a similarly intricate process, a similarly rudimentary result compared with my work in English.”

With all this effort to clarify, magnify, dramatize, and romanticize the decision to write in Italian, there is simply no room for Italy or the Italians. I can think of no other book set in Italy that has less of the color and drama of Italy in it. Not a single figure emerges. Not a dialogue of any note. Not a single situation characteristic of Italy. Even the language is there only as a challenge. There is no reflection on its construction, its lexical makeup, the distinctive mind-set and behavior patterns it sustains. In a chapter entitled “The Imperfect,” Lahiri talks about her problems with Italian past tenses and confesses that after twenty years of studying the language, she still has no idea how to choose between the imperfect and what the Italians call the *passato prossimo*:

Searching for clues, I note that with the adverbs *sempre* (always) and *mai* (never) one often uses the simple past: *Sono stata sempre confusa* (I've always been confused), for example. Or, *Non sono mai stata capace di assorbire questa cosa* (I've never been able to grasp this thing). I think I've discovered an important key, maybe a rule. Then, reading *È stato così* (*It Has Been Like That* [The Dry Heart]), by Natalia Ginzburg—a novel whose title provides another example of this theme—I read, “*Non mi diceva mai che era innamorato di me.... Francesca aveva sempre tante cose da raccontare.... Aspettavo sempre la posta*” (He never told me he was in love with me.... Francesca always had lots of stories to tell.... I was always waiting for the mail). No rule, only more confusion.

What a muddle this is. The simple past is an English tense—I went, I worked, I did. It has no direct equivalent in Italian. “I have always been confused” is an example of the present perfect, not the simple past. Confused indeed. The mistake is made repeatedly throughout the chapter. Goldstein then translates each example of the Italian *passato prossimo* directly with an English present perfect (*È stato così*—“It Has Been Like That”), thus making it impossible for the reader to appreciate Lahiri's problem: that English and Italian tenses don't follow the same rules or divide time in the same way. A more faithful rendering of *È stato così* would be “It Was Like This,” or, to do a little justice to Ginzburg's title: “How It Was.”

Floundering with her tenses, Lahiri grabs for the life vest of analogy:

Needless to say, this obstacle makes me feel, in fact, very imperfect. Although it's frustrating, it seems fated. I identify with the

imperfect because a sense of imperfection has marked my life.

After which we need not wait long for the grand statement:

In a certain sense writing is an extended homage to imperfection.

There are times when it seems Lahiri is fatally seduced by the impression that she is saying something profound in her new language:

What does a word mean? And a life? In the end, it seems to me, the same thing. Just as a word can have many dimensions, many nuances, great complexity, so, too, can a person, a life. Language is the mirror, the principal metaphor.



‘Apollo and Daphne’; painting by Théodore Chassériau, 1845

Because ultimately the meaning of a word, like that of a person, is boundless, ineffable.

Lahiri tells us that she chose not to translate the book into English because she did not want to be tempted to change or polish it, but have its strangeness in Italian come across to the English reader. However, its strangeness in Italian is exactly that of a person still unfamiliar with the language, often imposing English syntax and choosing cognates of English words. When translated this strangeness disappears, since such structures and word choices are standard in English. Instead, where Lahiri has deployed Italian idioms and rhetorical strategies, Goldstein follows her usual habit of bringing them more or less word for word into English, so that the strangeness of the English text is that of so many translations where what was ordinary in the original becomes quaint and off-key in translation. “I see the cottage, until now distant, just steps from me.” “I'm in love, but what I love remains indifferent.” “She didn't think of the future or of the traces of her life.” “I wonder if I'm going against the current.” Etc., etc.

Is there anything to be salvaged from this humorless book? Yes. A few fascinating pages on the dynamics in Lahiri's family when she was growing up in Kingston, Rhode Island, some interesting quotations from Cesare Pavese's correspondence with Rosa Calzecchi Onesti on her translations of Homer,

and above all two stories, two brief moments when instead of talking about writing in Italian, Lahiri gets on with the job and does it. Immediately she is persuasive and engaging.

In “The Exchange,” a woman in a state of crisis leaves her family to live alone in some anonymous town. One day she is invited from the street into a fashion designer's apartment where women are trying on the designer's clothes. She undresses and tries on various things but nothing suits her. Looking for her own clothes again, she can't find her sweater. A sweater is found that looks like hers, but she is convinced it is not. As in a nightmare, her intense anxiety over the issue—is this or is this not my sweater?—is urgent and convincing. Back home she has the impression that life is both dully the same and utterly changed.

In the second story, “Half-Light,” toward the end of the book, a man dreams he is being driven by his wife in a car that is falling to pieces; there is no floor beneath their feet, yet his wife drives on oblivious. Waking, the man goes downstairs where the remnants of yesterday evening's party have yet to be cleared up. They were celebrating his reluctant return from a long, happy absence in a foreign land. Finding some dry bread in the toaster, he imagines that perhaps his wife, who doesn't eat bread, has had a lover while he was away, then dismisses the idea. Finally, he decides that the sense of the dream is that his twenty-year-long marriage was always simultaneously routine and precarious, on the edge of an abyss, and realizes that he has no desire to talk to his wife about this.

In her closing words to the book, Lahiri insists that both these stories are autobiographical: she had the experience in the designer's apartment; she, and not a man, had the dream of sitting beside her spouse in the disintegrating car. Interpreting the first story, she decides that the sweater is the language she has changed. Readers may suspect that much else is at stake; two urgent imperatives, for change and excitement on the one hand, for continuity and protection on the other, are at loggerheads, with no middle path. Which brings us to the curious position of Lahiri's husband and children in this book. When Lahiri swims across the lake, they remain on “the known shore.” When she chooses to live in Rome, they are there beside her, but remain absolutely peripheral figures, not part of the Italian adventure, brought in only fleetingly to express her indignation when a shop assistant thinks her husband's Italian is better than hers.

Lahiri insists on her complete and utter immersion in Italian, a situation that must be extremely hard to achieve in a family of English speakers. In the final pages she mentions the possibility of her continuing to write in Italian. Yet she also announces, as if the matter were entirely beyond her control, that she now has to return to America. Amid so much apparent candor, the reader has the impression that crucial facts are being withheld and that the challenge of a new language may have been no more than a temporary diversion from other issues whose emotional urgency spills confusingly into discussions of past tenses and word choices. In any event, her two fine, courageous stories make clear that the problem is not what language to write in, but what to write about. □



# On the Supreme Court Battlefield

Jeremy Waldron

## Constitutional Personae

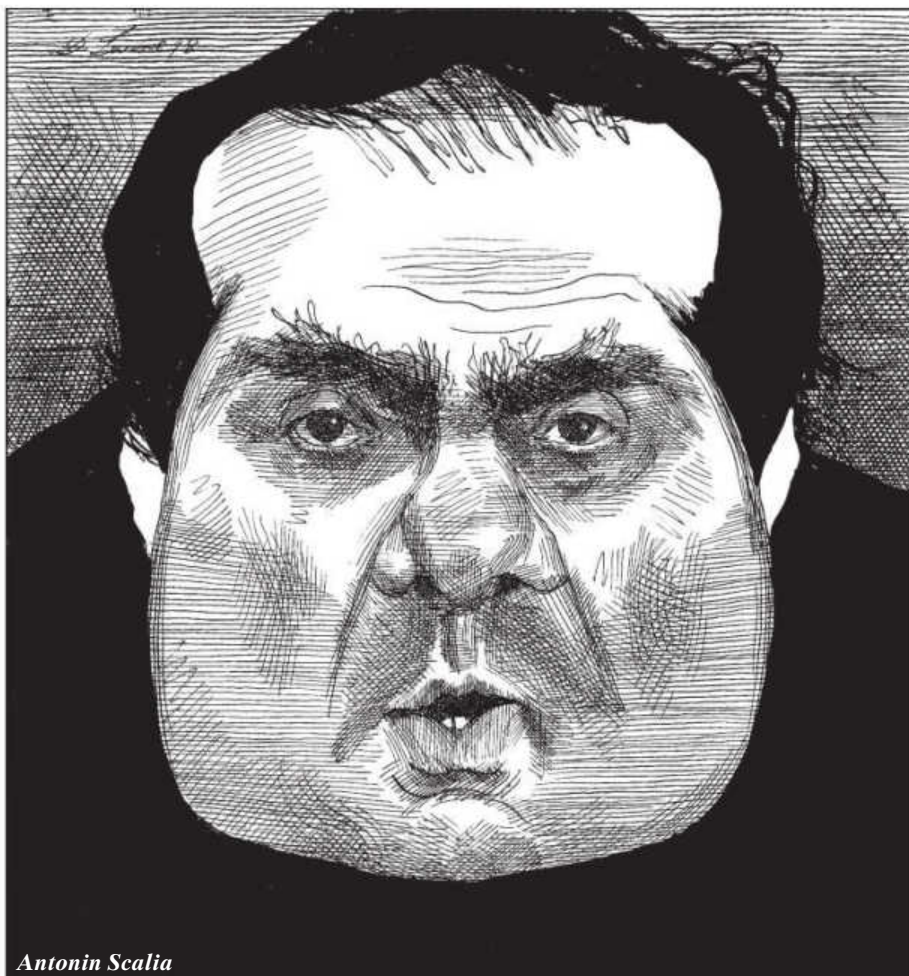
by Cass R. Sunstein.  
Oxford University Press,  
171 pp., \$24.95

### 1.

Do we want our judges to be heroes? Liberals have bracing and inspirational memories of judicial heroism on the Supreme Court—justices who fought for racial equality and individual autonomy against legislators who wanted to restrict women's reproductive rights and uphold segregation. They remember judges who took on the criminal justice system in the 1960s and 1970s, securing representation for indigent defendants and protecting them from coercive interrogation. There were some who fought heroically and—for a time—successfully against the death penalty. And there were the heroes on the Court last year in *Obergefell v. Hodges* who held that the US Constitution forbids bans on same-sex marriage. These were justices who were prepared to keep faith with what they saw as the values of the Constitution, even if the particular application of those values was not dictated by the constitutional text.

Of course a justice's first loyalty is to the Constitution itself. But better surely a heroic fight in defense of liberal values implicit in the document than, for example, the sort of surrender to the explicit text of Article IV that explained the abject attitude of the Court toward slavery in the nineteenth century—the greatest abuse of individual rights by far in the history of the republic, against which the Court never lifted a finger. Indeed it intervened in favor of slavery in *Prigg v. Pennsylvania* (1842), in which it struck down a law in a free state that had tried to prohibit slave-catching. The penchant for judicial heroism in the last sixty years is explained in large measure by memories of an earlier reticence that had led the Supreme Court all too often to defer quietly to injustice. In the second half of the twentieth century, liberal law professors hoped for many cases like *Brown v. Board of Education* (1954). They thought that through their students (as clerks), and through their own academic writings, they could urge upon a heroic Supreme Court the task of rebuilding the country on principles of liberty and equality.

The trouble with heroes, however, is that one man's hero is another man's villain. It all depends on the values that the judicial hero finds in the Constitution. Most of us agree with the values relied on in *Brown*; many accept the principles about private choice that were deployed heroically in *Obergefell* and in the great abortion case *Roe v. Wade* (1973). But what about the heroism of Chief Justice Roger B. Taney in *Dred Scott v. Sandford* (1857), who managed to discover values in the Constitution that precluded the possibility of African-Americans ever attaining citizenship? In Cass Sunstein's new book—a study of the “personae” that Supreme Court justices may take on—Taney counts “unquestionably” as a hero, as do the justices who voted in



Antonin Scalia

a majority to strike down labor legislation in *Lochner v. New York* (1905). The late Justice Antonin Scalia, we are told, used a heroic originalism to strike down some fairly basic gun control measures in *District of Columbia v. Heller* (2008), and Sunstein's category of heroism also includes the antics of the judicial majority that went out on a limb in 2000 to award the presidency to George W. Bush.

A hero is a judge who lifts up the values that he—it's almost always a he—deems implicit in the Constitution and uses them in striking new ways to remake the laws and politics of the country. It matters not that the people and their representatives do not share the values he espouses. The people may want stricter control of crime; but the hero believes in civil liberties. Or the people may want campaign finance laws, affordable health care, and affirmative action programs; but judges who strike down these laws count as heroes because they are willing to stand up for what (in their view) the Constitution requires even when it is not what the people want. That's the way Sunstein uses the term, and he is anxious to assure us that “hero” is certainly not always a term of approval.

### 2.

Fortunately the hero is not the only character listed in Cass Sunstein's dramatis personae. There is also the “soldier,” who is inclined to defer to the political branches. Soldiers are like the judges depicted in Robert Cover's book *Justice Accused: Antislavery and the Judicial Process* (1975), judges in the antebellum period who had abolitionist sympathies but believed nevertheless that they had no choice but to uphold and defend fugitive slave laws. When he was on the Supreme Court,

Oliver Wendell Holmes once said, “If my fellow citizens want to go to Hell I will help them. That's my job.” More soberly, he acknowledged that a constitution was “made for people of fundamentally differing views” and so it would be a mistake to project his own values onto the document. He was a soldier on the court, and soldiers defer to civilian authority. It is not their job, they say, to stand up for personal values that differ from those the majority have chosen.

Then there are constitutional “mutes,” who pride themselves on avoiding difficult constitutional questions altogether. The Supreme Court has control of its own docket, and the mutes are those justices who vote against hearing appeals from lower courts, or who find technical reasons—like lack of standing—for denying litigants the right to a hearing. They display what Alexander Bickel called the passive virtues of judicial office.\* In *Naim v. Naim* (1955), the Supreme Court refused to hear an appeal against the upholding of a state law prohibiting racial intermarriage; it just let the decision of the Virginia Supreme Court stand without interference. It wasn't until *Loving v. Virginia* (1967), more than a decade later, that the nation's highest court was willing to break its silence. This sounds cowardly—certainly to a hero. But muteness can sometimes be a prudent and honorable position if it helps preserve the legitimacy of the Court. Maybe 1955 was not the time to tackle miscegenation laws while the country was still reeling from the impact of the school desegregation

\*See Alexander M. Bickel, *The Least Dangerous Branch: The Supreme Court at the Bar of Politics* (Bobbs-Merrill, 1962). Additional footnotes appear in the Web version of this review at [www.nybooks.com](http://www.nybooks.com).

decision. “One bombshell at a time is enough,” said one of the justices.

Finally there is the “minimalist”—cousin to the mute—who is willing to act but only to take very small steps from time to time in pursuit of constitutional values. This character eschews the bold strokes and flights of grand theory that distinguish the heroic judiciary. The minimalist relies on narrow rulings and shallow justifications, leaving as much open for the future as he or she possibly can. In the words of Felix Frankfurter, the minimalist judge thinks he or she has an obligation “to avoid putting fetters upon the future by needless pronouncements today.” Sunstein includes Sandra Day O'Connor and Ruth Bader Ginsburg in this category of constitutional minimalists—perhaps “incrementalists” is a kinder word—and he indicates throughout the book that if he were ever to have the opportunity, he would be a minimalist judge himself.

### 3.

Is this a fruitful mode of analysis? Cass Sunstein is not the first to personify the judicial virtues (and vices). Our constitutional culture has long reserved the category “activist” as a term of abuse for judges who often interpolate their own political preferences into choices that should be determined by a more reticent reading of the Constitution. Sunstein can be read as offering a more vivid and perhaps a more serviceable terminology than “activists” versus “strict constructionists.” Certainly his personae are preferable to ideological labels like “liberal” and “conservative” or, in this age of political appointments, Democrat and Republican.

Ronald Dworkin used the name “Hercules” to refer to his idealization of the judge who has the ability to grapple with our entire legal heritage—rules, principles, rights, and values—and make of it an intelligible whole whose integrity could be appealed to for the right answer in the hardest cases. But Dworkin didn't make a drama out of his idealization (though another judge called Hermes, who favored original intent, did make a cameo appearance in his book *Law's Empire*.) There was nothing in Dworkin's jurisprudence corresponding to the dueling charges and countercharges that fly back and forth among Sunstein's personae. The soldier, whom the hero calls a coward, returns the favor with a charge of political tyranny and self-indulgence. The minimalist claims that even the soldier is too much in the grip of a large idea (deference to democracy). And the mute castigates the eagerness of all his colleagues to rush to judgment of one kind or another, rather than leave well enough alone.

“No single Persona,” says Sunstein, “and no single approach, is dictated by the founding document.” Although his own sympathies lie with the minimalist, he acknowledges that his personae are “abstract and stylized and no real-world judge ‘is’ just one or another of them.” Justice Scalia, for example, was all over the place—sometimes a good soldier in his insistence on deference



to state laws allowing or disallowing same-sex marriage and sometimes a hero of originalism. “No Personae makes sense for all times and seasons,” Sunstein writes. It all depends on circumstances. “Some justices are Heroes on Tuesday (voting to ban discrimination against same-sex couples) but Soldiers on Thursday (voting to uphold the Affordable Care Act).”

I wonder whether this fluidity might not be a flaw in Sunstein’s approach. Think of it this way. If a justice is heroically committed to certain values (as opposed to simply being committed to acting heroically), then he will surely defend those values like a soldier when he finds them embodied in legislation and promote them like a hero when the legislature opposes them. There is nothing at all inconsistent in that; it is exactly what consistency about values requires. Sunstein sort of acknowledges this when he says that the choice of hero or soldier is dependent on the actions of other institutions: what a judge feels called upon to do will depend on what the president, Congress, and the state legislatures are doing. But then we might not find much illumination in heroism as such or soldiering as such.

Also, what is the relation between Sunstein’s personae and the theories of interpretation that particular judges deploy? (I ask this partly because I think that Antonin Scalia, great jurist as he was, will be remembered in the end for the interpretive theory that he advocated and fine-tuned—the theory of close attention to text and original meaning—than for any particular outcomes he fought heroically for or against.) *Constitutional Personae* includes a rather banal and meandering chapter on interpretation, studded with insights like “many people believe that the Constitution must be interpreted in their preferred way” and “there are some things that interpretation just isn’t.” He says the overall aim of interpretation is to make our constitutional order better rather than worse, but he knows of course that there are many competing ways of doing this. Would it not be better just to focus on theories of interpretation and doctrines about how judges should approach their work? In principle yes, says Sunstein: “Theories first, personae second.” But still, he says, the cast of personae appeals to the imagination. And he thinks his account provides “a novel and illuminating perspective on recurring constitutional debates.”

Maybe. Psychology, to Sunstein, is as important as logic. Despite the prior authority of interpretation in establishing norms, each of the roles he describes has for some people a certain “magnetic attraction.” Judges have personalities and the enthusiasms that draw them to a particular self-image are “not easy to dislodge with argument,” whatever their theories or values.

But then why just these four personae—hero, soldier, minimalist, mute? There is nothing intuitive about Sunstein’s classification. What about the justice who fancies himself as a scholar? Or the one who defers to the executive, rather than the legislature? Lord Atkins, in his great dissent in the English wartime case of *Liversidge v. Anderson* (1941), defended the independence of the judiciary from the executive branch and worried about his fellow judges who proved themselves “more executive-minded than the executive” in cases involving individual liberty. We

have had our share of such judges in the war against terrorism. They are not so much the soldiers as the special forces of the political branch. And what about judges who play politics (the game) rather than politics (the values)? Take, for example, entrepreneurial justices who spend their time trying to build coalitions on the Court, not to mention their opposite—the lone wolf—who persists in solitary dissent, offending his colleagues with a show of purity, rather than accede to any compromise?

As it turns out, one of the best chapters in Sunstein’s book is devoted to consensus and disagreement on the Court, and the importance of allowing or discouraging dissenting judgments. Sunstein makes powerful arguments against the familiar claim that the proliferation of dissents since the 1940s has made our law less stable and less predictable. He thinks stability is overrated and that dissent can sometimes give citizens valuable guidance by indicating the direction of thinking on the Court. “The continuing arguments among the various Personae—visible for all to see—are,” he says, “a great service to the nation.” Dissents help chasten the judicial majority, by forcing them publicly to answer objections. And by staking out his or her own ground, a dissenting judge may provide a better basis for predicting the future than an artificial and papered-over consensus.

#### 4.

I said that Sunstein’s preferred personae—in the event he were favored with a Supreme Court nomination—is the minimalist. Or at least he offers a “qualified endorsement” for this role. Essentially incrementalist in his thinking, a judge of this kind does not believe in large constitutional decisions, decisions that look for a drastic effect in a wide array of future cases. Nor does the minimalist think it important to reach down to some grand foundation of value for every step he takes. Better by far to take small steps, each based on reasoning that can claim support from a variety of perspectives.

Though some justices adopt minimalism as a matter of prudence or rationality, or as a matter of what is likely to work best in the circumstances (Justice Ginsburg on gender equality for example), Sunstein sees it as essentially a conservative strategy. I don’t mean in the ideological sense of “conservative.” He takes as his model minimalist the father of small-c conservatism in British politics, Edmund Burke. Burke was an eighteenth-century parliamentarian, not a judge; but politicians can be minimalists too if they are suspicious of large-scale change. (Gerald Ford and George H.W. Bush are cited as American examples.) And one of the things that Burke extolled was the modest incrementalism of the common law—“the pride of the human intellect, which, with all its defects, redundancies, and errors, is the collected reason of ages.” Like Sunstein’s minimalist, Burke was highly suspicious of heroic flights of theoretical fancy in politics, especially when some revolutionary tries to take apart and evaluate long-established practices with nothing other than his own private stock of reason. Burke counseled “infinite caution” before we “venture upon pulling down an edifice which has answered in

any tolerable degree, for ages the common purposes of society.”

Sunstein thinks he can map Burke’s reverence for political tradition onto a minimalist approach to adjudication in the American setting. Constitutional review often involves the Court in assessing the actions of the political branches. One mode of assessment is to ask whether the action in question is unprecedented. If it is not, a minimalist may be reluctant to overturn it, figuring that the precedent itself must embody some established constitutional wisdom.

So, for example, Sunstein cites some remarks of Felix Frankfurter in the 1952 “Steel Seizure Case” (*Youngstown Sheet & Tube Co. v. Sawyer*). When called upon to assess President Truman’s wartime seizure of steel mills, whose output was threatened by the ac-



tions of labor unions, Frankfurter did not just consider whether the abstract words of Article II of the Constitution gave Truman his power. Instead he insisted that “a systematic, unbroken, executive practice, long pursued to the knowledge of Congress and never before questioned,” commands our respect, and that there should be some serious hesitation before it is called into question by a court. Courts should not always take the opportunity to overturn established ways of doing things.

It is not a perfect fit. Edmund Burke was a much more complex character than is reflected in the passages Sunstein quotes from *Reflections on the Revolution in France*. There was a minimalist side to his persona, certainly. But he was also something of a hero, both for his advocacy of the American cause in the House of Commons and for his implacable campaign of impeachment against Warren Hastings’s abuse of power in India. But Sunstein admits that he is not offering an exegesis; he is just picking up on the theme of fidelity to tradition as a keynote for judicial minimalism.

How plausible is this? “Tradition” is a slippery idea, easily confused in America with a mere pattern of behavior over a decade or two. That an action has antecedents doesn’t make it a tradition. (Remember how in the war on terror we found “precedents” for the detention of unlawful combatants in one or two cases from World War II; or remember Chief Justice William Rehnquist’s identification of the *Miranda* warnings as a tradition in popular depictions of policing when he defended *Miranda v. Arizona* against challenge in 2000.)

Sunstein might have said more too about the way heroic decisions can become entrenched as traditions. He is emphatic that *Roe v. Wade* was “unacceptably heroic” when it was decided in 1973, because “the Court ruled quite broadly in its first encounter with the abortion question, and it used a theory of autonomy far too expansively.” But he says nothing about *Planned Parenthood v. Casey* (1992), almost twenty years later, where a plurality of justices—some of whom might have been inclined to vote the other way in 1973—now defended large parts of the *Roe* holding on the ground that it had established itself as part of the background mentality that people bring to reproductive decisions. Not only that, but the plurality in *Casey* argued that a court that fails to stand up for its own past decisions risks losing its legitimacy, especially in circumstances where there is intense political pressure to overturn a precedent. According to the decision in *Casey*:

The promise of constancy, once given, binds its maker for as long as the power to stand by the decision survives and the understanding of the issue has not changed so fundamentally as to render the commitment obsolete.... A decision to overrule *Roe*’s essential holding under the existing circumstances would address error, if error there was, at the cost of both profound and unnecessary damage to the Court’s legitimacy, and to the Nation’s commitment to the rule of law. It is therefore imperative to adhere to the essence of *Roe*’s original decision, and we do so today.

These are grand words. But are they the words of a hero or a minimalist? Justice Scalia thought they were appalling:

I cannot agree with, indeed I am appalled by, the Court’s suggestion that the decision whether to stand by an erroneous constitutional decision must be strongly influenced—*against* overruling, no less—by the substantial and continuing public opposition the decision has generated.

Is this Scalia the soldier opposing heroism or Scalia the hero opposing the minimalism of the justices in *Casey*? We can’t tell, because Sunstein does not say nearly enough about minimalism as it applies to the Court’s own precedents.

Sunstein makes his Burkeian minimalist slipperier still when he says that maybe we should be willing to question established practices when they prove patently unjust. It turns out that even *Brown v. Board of Education* could have Burkeian support “insofar as it could be seen not as a bolt from the blue, but as the culmination of a long series of decisions and as reflective of a growing social consensus.” If a Burkeian minimalist can end up supporting such an “iconic heroic decision,” then I worry that there may not all be that much to be learned from Sunstein’s thinly drawn and flexible personae.

As I’ve said already, Sunstein is quite candid about the dependence of his various personae on the judicial and historical settings in which they act. But it seems that the depiction of any



one of them will also vary depending on the observer's point of view. He is also engagingly frank about the fact that Burkeian minimalism is in some respects un-American. Thomas Jefferson did not accept that future generations must defer to the wisdom of the Framers: future generations have the advantage of experience, Jefferson said

in 1816, "and forty years of experience in government is worth a century of book-reading." Beyond that, the Burkeian approach is downright inconsistent with some of our traditions: "The equal protection clause was self-consciously designed as an attack on longstanding practices; it reflects a principle that was not rooted in traditions at all."

For a very short book, *Constitutional Personae* has all sorts of treasures in it. Its classifications are illuminating even when they do not work as classifications. They certainly don't obscure other aspects of Sunstein's impressive command of our constitutional history and his insights into the Supreme Court as an institution. And though I find that

Sunstein's classification of personae raises many problems, I have a sneaking suspicion that he might be right when he says at the end of the book that people are drawn as much to a dramatic role as to a set of doctrines: "In politics and law, as in ordinary life, the rules of attraction, rather than the arguments, often end up running the show." □

# Looking for Citizen Welles

Michael Wood

**Young Orson:  
The Years of Luck and  
Genius on the Path  
to Citizen Kane**  
by Patrick McGilligan.  
Harper, 820 pp., \$40.00

**Orson Welles:  
One-Man Band**  
by Simon Callow.  
Viking, 624 pp., \$40.00  
(to be published in April)

**Broadcast Hysteria:  
Orson Welles's War  
of the Worlds  
and the Art of Fake News**  
by A. Brad Schwartz.  
Hill and Wang,  
337 pp., \$35.00

**Orson Welles's  
Last Movie:  
The Making of The  
Other Side of the Wind**  
by Josh Karp.  
St. Martin's,  
336 pp., \$26.99

**Chimes at Midnight**  
a film directed  
by Orson Welles

There is a special risk in writing about Orson Welles. The dimensions may get a little out of hand, as if they had to mime the physical size and imaginative reach of the subject. Patrick McGilligan's excellent biography of Alfred Hitchcock takes 750 pages to cover the director's life and his fifty films. By page 706 of *Young Orson*, Welles is about to start shooting *Citizen Kane*, his first full-length movie: he is twenty-five years old, and he lived till he was seventy. There is a thirty-nine-page postlude about the day and night of Welles's death.

*The Road to Xanadu*, part one of Simon Callow's two-volume biography of Welles, appeared in 1996; *Hello Americans*, part two of the now three-volume biography, appeared in 2006; and *One-Man Band*, part three of the (maybe) four-volume work, appeared last fall in the UK and will appear in the US in April. Perhaps the most touching expression of this condition is the wistful remark that McGilligan makes about Welles in 1944 on page 726 of his work: "An entire book could be written about that single year, with much left out."

The McGilligan and Callow biographies are a pleasure to read, the comic effect of their length soon fades, and their difference from each other enhances the pleasure. McGilligan has an

infinite patience with details, and is always happy to pursue a historical event for its own sake. The event may tell us something about Welles, and McGilligan gestures toward this justification: "The backstory of his life and early career would help explain the genesis and ideas behind the famous film."

But much of the book reads as if the causality went the other way. *Citizen Kane* is a great excuse to study a lost America, the culture and politics of Kenosha, Wisconsin, in the early years of the twentieth century, the involvement of the talented pianist Beatrice Welles, Orson's mother, in the women's movement and the artistic life of the time, the lapse of Orson's father, the rich and adventurous Richard Welles—the first man in town to drive an automobile—into drink and heart disease.

It's good too to ponder the image of the five-year-old Orson dressed as the White Rabbit and telling the shoppers at Marshall Field's department store in Chicago that he has to hurry—"or else it will be too late to see the woolen underwear on the eighth floor!" It doesn't say much about the genesis of *Citizen Kane* perhaps, but we surely learn something about the uses of literature.

McGilligan doesn't skip over or hide Welles's blemishes, but he doesn't bluster about them or anything else. One of the most entertaining things in his book is the way he scrupulously avoids accusing anyone of lying. Thus Charles Higham, an earlier biographer,

is "always imaginative"; sometimes "overimaginative." David Thomson "enterprisingly" makes an addition. Dr. Maurice Bernstein, an admirer of Welles's mother, Welles's own protector, adviser, and later hanger-on, is a "consummate fictioneer" who goes in for "embellishments" and "a publicist at heart." John Houseman, Welles's partner in many early projects, is treated a little more sternly: his "writings were highly subjective, and don't always stand up to the facts; his portrait of Welles was distorted with apocryphal anecdotes." Callow's version of Welles as an epistemological teaser is a sort of celebration:

It is acutely enjoyable to watch Welles in the process of working up his version of his own history, trying on the variants for size, until he settles on the most colorful one.

McGilligan, largely accepting Welles's general view of his childhood, writes of the "beauty" of his upbringing. "My parents were larger than life," Welles told his daughter Christopher, "wonderful, mythical, almost fantastical creatures." McGilligan makes the myth into plausible history—they were extraordinary people, and they lived in dramatically changing times—but beauty is perhaps not all a child needs. Everything in the story suggests that the boy was somehow both pampered and abandoned, made a star and left alone.



Orson Welles on the set of *Chimes at Midnight*, 1964

André Bazin thought the later Welles was rebelling against the perfection of his childhood, "incomplete because of its very happiness": "Too many fairies bent over this cradle." Too many people who thought they were fairies perhaps. At one point McGilligan cites a newspaper report calling the five-year-old Orson someone's protégé, adding, "But in a sense, he was everyone's." This is shrewd, but less comforting than it seems at first.

Callow has tremendous patience too, thinks "the context [is] almost as important as the event," but he announces his presence as a writer more clearly than McGilligan does, and he is a very good critic. He loves terrible jokes, especially in his chapter titles ("Wellsafloppin'," "The Welles of Onlyness," "Citizen Coon," "The Return of Awesome Welles"),

and even his throwaways have an air of flamboyance about them. Describing the withdrawal of *The Trial* from the Venice Film Festival, he says "it was replaced by another story of alienation and police brutality, *West Side Story*."

Callow, like McGilligan, wants to "describe" Welles, not "judge" him, but his biographical quest is more romantic, its object a "great natural phenomenon," and his view has "changed somewhat," he says, since his first volume. Then he was correcting myths about Welles, now he is "inclined to believe that the man *was* the myth—or rather that he grew into his own myth." The myth over time becomes less of a disguise and more of a piece of evidence. "He passed through the world like a figure from an old tale, a giant and a wild man." This volume takes the story of Welles's life and work from 1947 to 1966: the films of those years are *Othello*, *Mr. Arkadin*, *The Trial*, and *Chimes at Midnight*.

Orson Welles was the main talent behind the radio version of *The War of the Worlds* that is supposed to have scared America out of its wits in 1938, but he is, quite rightly, not the main subject of A. Brad Schwartz's intelligent and informative book, *Broadcast Hysteria: Orson Welles's War of the Worlds and the Art of Fake News*. The subject is the scaring itself, its setting and

Nicolas Tikhomiroff/Magnum Photos



after-effect. Something like six million people listened to the broadcast. Of those maybe one million mistook it for a news bulletin. That's a lot but we might think that five million people who instantly know a tall tale when they hear one is quite a lot too. Later reactions have gone both ways: "millions" were panicking; no one really panicked, it was just the press making things up.

Schwartz has access to materials—the letters written to Welles and the Mercury Theater, now housed at the University of Michigan—that no one has thoroughly studied before, and they allow him a carefully nuanced view. He believes that many people were really frightened, but that fright is not the same as hysteria, and that not too many people left their homes in an attempt to escape the Martians. He explores the relations between the print media and the radio, the fears of and pleas for censorship that arose everywhere, and the deeply unpleasant assumptions of many correspondents that other Americans, representing what came to be called the "mass mind," were all idiots. He defends the responses of many of the frightened because they may have heard only part of the program, and therefore have heard only about invasion and poison, and not about the Martians. He also suggests, very shrewdly, that there was a correlative of panic in the country, which had to do with what he calls "a more common, and perhaps more dangerous, impulse." There was a "viral effect," Schwartz says. "Listeners... could be seized with the impulse to spread the news." One could doubt the arrival of the Martians; one could hardly doubt how scared the neighbors were.

Josh Karp also evokes the way that *The War of the Worlds* marked the height of Welles's fame: "If anyone hadn't heard of Orson Welles by November 1938, they were either living in a cave or dead." But his story begins in May 1937, when Welles met Hemingway at a screening of Joris Ivens's *The Spanish Earth*. Welles was to narrate Hemingway's commentary, decided to edit it a little, and Hemingway was offended. He accused Welles of being gay, Welles hammed up the role appropriately, and the two men swung at each other with a couple of chairs. They ended up laughing and drinking and becoming friends. "Welles told this tale time and again," Karp says, and by 1958 he had in mind a film based on the incident. He was calling it *The Sacred Beasts*, and it involved bullfighting. Was it about Hemingway or about Welles himself? "It's about both of us," he said.

By 1970, when he began shooting the film, it was called *The Other Side of the Wind*, a title Welles borrowed from a story being written by Oja Kodar, the Croatian actress and writer with whom he lived, and the Hemingway figure was now a film director. The action would occupy only a single day and the day was July 2, the date of Hemingway's death. These are the beginnings of the still-unfinished work that has been called "the most famous movie never released." Welles completed shooting in 1976, but the editing never stopped.

Karp's book is an engaging if loosely written account of what is known about this film. He describes its plot,

tells many stories about its shooting in Carefree, Arizona, and various spots in California. The film has "two distinct styles," he says, neither of them Welles's own. One belongs to the director in the movie, whose incomplete film is being projected for an increasingly skeptical Hollywood producer. This was Welles's parody of the new cinema he associated with Antonioni, beautiful, slow, and empty. The other style was composed by all the home movies being shot by various kinds of cameras at the director's birthday party. The director dies in a car crash on the way home.

Karp also tells us the tale of the material film stock itself. The negative is in a vault in Paris, the work print belongs



Orson Welles and Romy Schneider in *The Trial*, 1962

to Oja Kodar, and an ongoing, Dickensian lawsuit prevents any screening of the film. For a long time Kodar and Welles's faithful cinematographer Gary Graver tried to find ways of getting the film finished (that is, edited) by someone else, but money and the law kept stepping in the way. In any case, the idea of finishing Welles's work for him has a contradictory aspect to it. He may have found completing a work difficult, and Karp confidently asserts that *The Other Side of the Wind* "was a film that could never be finished." But finishing was also what Welles loved, creating new films in the cutting room and then choosing among them, delighting in fresh differences. "I could work forever on the editing of a film," Welles told André Bazin and the editors of *Cahiers du Cinéma*. "The eloquence of the cinema is constructed in the cutting room." He was not talking about control of the final product, although that too is a luxury. He was talking about a director's dream of deferral, the still-alterable movie in which the next cut is always the best. Of course the director will stop when he has to, and the movie will be done. But what if he doesn't have to?

Fragments of the film were to be seen in New York last November, when Stefan Droessler, director of the Munich Museum, presented them at MoMA, along with pieces of other unfinished works, *The Deep* and *The Dreamers*. Some of this material is also available

as a supplement to the Criterion Collection's DVD of *F for Fake*. The most attractive sequence shows guests at the party a socialite is throwing for the director. The hostess is Lilli Palmer, whose face and name evoke a whole history of European women in American films—Welles said casually to Henry Jaglom that Palmer "plays Marlene"—and the guests include John Huston as the director, Peter Bogdanovich as a member of the new Hollywood order, and Joseph McBride as a film scholar. There is also a striking performance by Susan Strasberg as a renowned critic who bears more than a passing resemblance to Pauline Kael.

The longest available sequence is a bit of softish pornography, in which

time could be seen only on a rather blurry Spanish DVD. This situation is about to change. A restored print was shown at Film Forum in New York in January, and at some not too distant point in time Criterion will issue a DVD.

The film is largely a version of two plays by Shakespeare, *Henry IV Parts 1 and 2*, but also includes lines from *Richard II*, *Henry V*, and *The Merry Wives of Windsor*. It recounts the supposedly reckless playtime of Prince Henry, and the sorrows of the kingly father of this wayward son. When the rebellion against the king turns to armed revolt and battle, the prince comes around, shows great valor, and is reconciled with his father. And when his father dies, and the prince becomes king, the new ruler renounces all connection to his old friend Falstaff and the world of the tavern where he had been spending his time.

This renunciation and its effect are important to Shakespeare but they are the heart of Welles's film. It's a complicated heart, though, and we should not settle too readily for the simplifications being offered, even those presented by Welles himself. If this movie is a lament for the loss of "merrie England," as he says, then *The Godfather, Part II* is about the happy old days in Sicily.

Welles sets the tone by using the scene with the title phrase twice, once in its place in narrative sequence, and once as a prelude to the whole film. Falstaff and his old friend Shallow are at first seen at a distance as tiny figures in the snow, then a little closer. Shallow is lyrically nostalgic: "Jesus, the days that we have seen." Falstaff says, "No more of that, Master Shallow." They arrive at a low-roofed building and sit down by a fire to continue their chat, mainly about friends who are old or dead. Shallow repeats his phrase, and Falstaff says, "We have heard the chimes at midnight, Master Robert Shallow."

The grimness with which he utters the phrase totally excludes the tone of jolly remembrance with which the scene is often played, and indeed includes his later hint that Shallow is not only going on about the old days, but inventing his wild youth retrospectively, "every third word a lie," as Falstaff says. The past is not the past and present laughter is hard work. Falstaff thinks a lot about dying in this film, and our sense of this makes his shenanigans seem heroic, a kind of defiance of age, something far more strenuous than mere high spirits. His bleak meditation on honor—"What is honor?... Who hath it? He that died a Wednesday"—comes across not as a rascally refusal of conventional views but as deep disillusion.

This melancholy surrounds the film's most dramatic moments and indeed helps us to understand them. In one of its great set pieces, Falstaff pretends to be the prince's father and rebukes him for his fondness for low life. He makes an exception for Falstaff, though. "There is a virtuous man whom I have often noticed in thy company.... Him keep with... the rest... banish." The players then exchange roles and the prince, as his father, says just the opposite. Falstaff is "a villainous abominable misleader of youth" and an "old white-bearded Satan." In his own defense Falstaff says the prince is welcome to banish his other cronies,



but—here he is shot from a low angle, his vast paunch dominating the screen, advancing into a close-up—

for sweet Jack Falstaff, kind Jack Falstaff, true Jack Falstaff, valiant Jack Falstaff, and therefore more valiant being, as he is, old Jack Falstaff, banish not him thy Harry's company, banish not him thy Harry's company, banish plump Jack, and banish all the world!

The prince moves into the frame, Falstaff still visible behind him, and says, "I do. I will."

As Callow very well says, there are two Falstaffs here and the point is that the prince is promising to banish both of them: his old friend the "engaging rogue" and the "much bigger figure" whose "titanic energy and majestic self-confidence put him in the realm of myth." The next king of England, Henry V, recreator of a legitimacy in succession, is setting behind him his father's usurpation of the throne and taking back whole chunks of France to support a new nationalism; he can't have disreputable friends but nor can he recognize the energies and truths of irregularity, indeed of the sprawl of life itself. Falstaff's "all the world" is a self-serving, if parodic plea: you need me, even if you need no one else. And it is also a kind of prophecy. How small does your world become when your every thought is of power and tactics?

The prince's formal, public renunciation of Falstaff ("I know thee not, old man") is painful and perhaps, in its harshness, represents the prince's repression of complications. But neither Shakespeare nor Welles doubts its necessity. When he learns of the prince's succession to the throne—it's important that the news arrives when he is talking about the chimes at midnight—Falstaff himself thinks only of power, promises Shallow he shall have any job he wants, and says, "The laws of England are at my commandment." We can't want this to happen any more than we want Falstaff to be banished.

Welles doesn't linger over the question, and takes us quickly to Falstaff's pathetic refusal to believe what he knows to be true. "This that you have seen is just a color," he says to Shallow, meaning just a show. "I shall be sent for soon." The deep emotion in the scene, though, is created by another phrase, and by the vast stone walls of a Spanish castle that fill the screen, leaving Falstaff as a tiny silhouette proceeding through an archway. The phrase is "Go with me to dinner." No one is going with him, not even his page. And the place he is going to strongly resembles the beautiful, unforgiving city that Welles had created for his previous film, *The Trial*.

It's important to linger over the images in Welles's films, and Callow does this very sensitively. It's not that Welles has "a stunning visual intelligence and a numbingly banal view of human experience," as Joan Didion thought Fellini and Bergman had; but he does get extraordinary suggestions into his images, and he can become sententious in his words and plots.

Welles fans are not enthusiastic about *The Trial*—Peter Bogdanovich told Welles he didn't like it, Joseph McBride called it "strained"—and Welles said he had "carried wide angles to the

point of madness" in that work. But we can see Welles doing something new with his visual machinery in the film, reaching for social meanings of a kind he had not sought before. Welles's Joseph K is a guilty man and proud of it, because he is not half as guilty as the evil system that closes in on him and kills him. "I'm terribly allergic to despair," Welles said. "That's my trouble with Kafka." As Callow notes, the story, conceived in these terms, is "too easy." Fortunately, the film has several other stories to tell, mainly through its images.

When K leaves the cathedral where the above conversation takes place, for example, the ornate portals and façade rise behind him in a kind of elaborate architectural mockery, a conflation of society, system, the law, and the church, but the effect is not political, doesn't suggest the lonely individual betrayed by a heartless system; it suggests a mismatch between us and the elegant, indifferent world we have built for ourselves. And when K's executioners appear and hustle him off down the streets of Zagreb, casting long expressionist shadows as they go, we feel something very intimate is happening, something not in Kafka and not in Welles's own spoken plan either.

The journey down the streets is scarier than the execution itself. It's partly because the two thugs, like the officials who arrested K in the first place, look like incompetent gangsters in an underfunded movie, and partly because the focus of these shots is less the three human figures than the town, from the neoclassical pomp of its fancy squares, down its fairy-tale streets to the deserted space and the modern high-rise. You can't make speeches to a town; it isn't conspiring against you. But then it can't help you either.

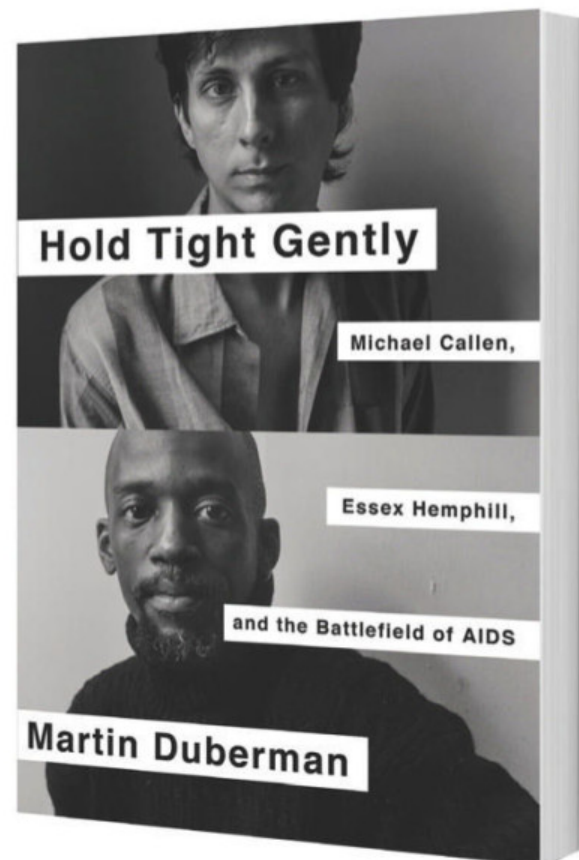
In *The Trial* more than anywhere else we see how much Welles's imagination has to do with space. A set for him is a location to be explored, and a location is full of stories. Callow tells a wonderful tale about Edmond Richard's appointment as director of photography on the film, which combines the ideas of space and opportunity. When Richard arrived in Zagreb as a technician, he was "thirty-four and had never shot a feature before." The production was stalled because Welles couldn't find a place to film the office of the bank where K works. Nothing was large enough. There were "hundreds of desks," and Welles said he wanted the room "to run to the end of the world." Richard knew a place: he had worked in Zagreb on a film about Paganini. It was a vast exhibition hall, and when Welles saw it he "was enraptured; his eyes filled with tears."

This would be a good anecdote even if the result on the screen were not so amazing. The desks and their typists literally spread out as far as the eye can see. The effect is not one of metaphor but of hyperbole: the workplace depicted realistically but made monstrous in its dimensions. We could reach for abstract meanings, and perhaps we do anyway. We think: bureaucracy, the system, and we know Welles was thinking this. But what's memorable is something more intimate, a feeling that we don't know what bank or business could possibly need so many hands, and yet half-suspect we are already working in such a place—it's just that in our world most of the desks are invisible. □

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# The Death of Our Treaties

Jessica T. Mathews

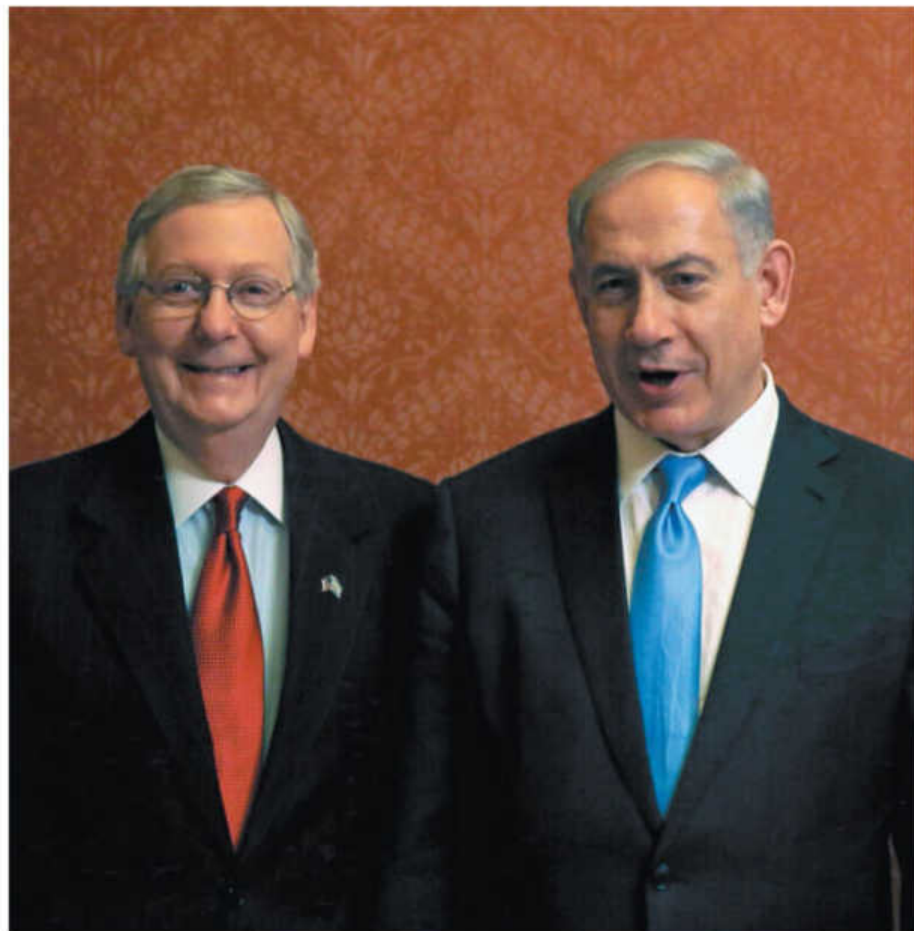
1.

The Constitution gives control over matters of war and peace to the president and Congress, in the words of Alexander Hamilton, as a “joint possession.” This pretty much guarantees continuing strife between the two branches. Yet after two centuries of a seesawing contest for primacy, lines have been crossed in the last year that take the relationship between the two branches into new territory. What has happened raises the question of whether the structure of political power in the United States today dangerously restricts what the country can aim to achieve abroad.

Never before has Congress openly tried to undermine a president in the midst of negotiation with a foreign adversary. In 2015 it did so twice: by inviting Israeli Prime Minister Benjamin Netanyahu to attack President Obama’s policy on Iran’s nuclear program before a joint session of Congress, and through an “open letter” to Iran’s leaders, drafted by Senator Tom Cotton of Arkansas and signed by forty-six fellow Republican senators. The letter asserted (incorrectly) that any agreement not approved by Congress would have no legal validity and threatened to overturn it at the legislature’s will. Knowing, as the senators did, that Iran’s Supreme Leader and political elite were already deeply skeptical of Washington’s trustworthiness and of the administration’s ability to fulfill a deal, the letter appeared designed to strengthen the deal’s opponents in Tehran.

Later in the year, Senate Majority Leader Mitch McConnell (who also signed the Cotton letter) tried to derail another major negotiation. He dispatched an aide to meet with foreign emissaries to describe the GOP’s plans to overturn any deal reached at the upcoming Paris summit on climate change. “The president’s international negotiating partners,” McConnell warned, “should proceed with caution before entering into an unattainable deal... because commitments the president makes there would rest on a house of cards of his own making.” Both interventions—on Iran and climate—were made while the outcome of these negotiations was very much in doubt.

It is true that something similar may have happened before—in Richard Nixon’s efforts to derail a cease-fire negotiation with the North Vietnamese during the 1968 presidential campaign, and in an alleged deal between Ronald Reagan and Ayatollah Khomeini to delay release of the American hostages in Iran until after the 1980 election. The intense secrecy that surrounded both episodes is the point: the interventions were recognized as far beyond the pale. In a taped phone conversation between President Johnson and Senate Minority Leader Everett Dirksen, Johnson describes the Nixon team’s actions, saying, “They oughtn’t to be doing this. This is treason.” Dirksen’s reply, in full: “I know.” Neither Nixon nor Reagan acted on behalf of the legislature, but each was, at the time, his party’s leader, as McConnell was last year.



Senate Majority Leader Mitch McConnell and Israeli Prime Minister Benjamin Netanyahu during Netanyahu’s visit to Washington, D.C., to speak against President Obama’s policy on Iran’s nuclear program before a joint session of Congress, March 2015

Some commentators called Senator Cotton’s letter treasonous, but largely it was dismissed as embarrassingly silly. Both it and the invitation to Netanyahu seemed to be simply further instances of the ferociously politicized reflexive taking of positions along party lines that has become all too familiar. McConnell’s intervention in the negotiations before Paris went almost unnoticed. It was hardly news that the GOP was determined to block action on climate change.

To judge whether discord between the executive and the legislature on foreign policy amounts to more than the partisan polarization that afflicts all issues today requires a wider perspective than the past year or even the last seven. It has been a quarter-century since the end of the cold war in 1991, the last major global milestone. Is there a coherent record of behavior by both branches of government through these twenty-five years? If so, how does it fit with the global scope of Washington’s interests, the world’s deepening interdependence, and the American people’s expectations of their country’s position abroad?

2.

In its allocation of overlapping powers to the executive and the legislature, and its many silences on foreign policy, the Constitution bequeathed, in the words of Edwin S. Corwin, one of the great constitutional scholars, a permanent “invitation to struggle.” The president may be commander in chief, but Congress is given the power to declare war and to raise armies. The president has the authority to “take care that the Laws be faithfully executed,” but Congress has the responsibility to write them. The president’s power to receive

foreign envoys was extended by President Washington to include the right to decide on diplomatic recognition, but Congress must confirm ambassadors and appropriate funds for embassies. Just two foreign policy decisions are explicitly reserved to the legislature: to declare war and to approve treaties signed by the president by a two-thirds vote of the Senate.

Through congressional default, the war power has withered to almost nothing. Congress has formally declared war five times in the country’s history—most recently after Pearl Harbor. But presidents have begun military action more than one hundred times without prior congressional approval. The 1973 War Powers Act attempted to clarify the executive and congressional authority, but it satisfied no one and has been ignored.

Congress authorized the use of force before each of the major wars since the cold war (the 1991 Gulf War, Afghanistan, and Iraq). In the Gulf War and Iraq, however, very large forces had been deployed to the region long before the vote, making it both likely that a decision had already been made to use them and very difficult for Congress to oppose. But today’s expanding operations against the Islamic State (ISIS) in Syria and Iraq are sanctioned only by the Iraq War Resolution of 2002 (with Saddam Hussein and his supposed WMD threat gone in 2003) and by the 2001 Authorization for the Use of Military Force (AUMF) against those responsible for the September 11 attacks. ISIS did not exist at the time.

A year ago, six months after launching operations against ISIS, the president asked Congress for a new AUMF, though he asserted that as a legal matter he did not need it. His proposed language was seen as too open-ended or as

too restricted and weak, and virtually everyone thought it too vague. But the real reason that Congress has not acted is the one that has held it back so often before: members see this as a vote that will not please their constituents no matter how they vote. The administration’s ineffectual push for the AUMF has made it easy to do nothing. Both branches, it seems, prefer to fight this war without having to explicitly draw Americans’ attention to the fact that we are engaged in yet another war in the Middle East or to confront the unpleasant task of defining its goals.

Congress’s record on treaties, on the other hand, is decisive. In the past twenty-five years it has found almost no multilateral treaties—other than on trade—that it can pass. Trade agreements are a unique, hybrid type in which the president negotiates under a prior grant of congressional approval. Congress approved the final North American Free Trade Agreement (NAFTA) in 1993 and the highly significant and even more controversial Uruguay Round trade deal creating the World Trade Organization, which squeaked through a year later.

In these same hopeful years after the end of the cold war, Congress approved three multinational treaties: the International Covenant on Civil and Political Rights (which had been awaiting action since 1966); the Framework Convention on Climate Change; and the Chemical Weapons Convention, banning the production and use of these weapons of mass destruction. Because the Framework Convention only set a broad goal of avoiding dangerous climate change and contained no limits on emissions or means of enforcement, it was an easy vote for President George H.W. Bush to recommend. By contrast, the Civil and Political Rights agreement—which guarantees the right to life, freedom of religion, and freedom of speech, among other things—presented heavy political obstacles. When it was finally ratified,<sup>1</sup> the Senate did so with five reservations, five understandings, four declarations, and one proviso, the net effect of which was to remove, in great part, the treaty’s substance.

The rest of this quarter-century has been a wasteland for multilateral commitments. There are many ways to defeat an accord. The Senate can vote down a treaty. More often it simply leaves an agreement on the shelf, sometimes for decades (it took thirty-nine years—from Truman to Reagan—to approve the Genocide Convention<sup>2</sup>). Increasingly, administrations choose to avoid a fight by not sending forward a signed treaty that the Senate is known

<sup>1</sup>Technically, the Senate does not “ratify” a treaty but only approves a resolution to do so, but the term is widely used.

<sup>2</sup>The terms “treaty,” “convention,” “protocol,” and “covenant” are generally used in different circumstances, but do not affect an agreement’s legal character.



to dislike. When opposition is strongest a president may choose not to sign a treaty, or to sidestep the Senate by negotiating an executive agreement instead (more on this below).

By one of these means or another, the Senate (sometimes together with President George W. Bush) has turned away more than a dozen major international accords in this period on matters of the environment, arms control, the rule of law, and public health. They include one—the Biodiversity Convention on species conservation—to which every other member of the United Nations (195 of them) is a party. Most of the rest have upward of 160 state parties. Other major agreements the US has chosen not to join include the Law of the Sea Treaty, the Comprehensive Test Ban Treaty (CTBT), the Kyoto Protocol on climate, the Protocol on Torture, and a convention protecting people with disabilities. The US has also refused to approve treaties to protect genetic resources, ban persistent organic pollutants, ban cluster bombs, restrict trade in conventional arms, and control international trade in tobacco. President Bush withdrew President Clinton's signature on the International Criminal Court statute (though there is no doubt that the Senate would have voted against it), and three presidents have left the anti-personnel land mine ban unsigned.

In a few cases, there are real differences between US policy and the corresponding international agreement, regrettably, on torture, on climate, and on anti-personnel land mines (which the government believes it still needs in Korea). But in most cases there is little or no substantive distance between the US position and international agreements that cannot command the support of a post-Reagan Republican president or two thirds of the Senate.

The opposition of the senators is based more on symbolism, ideology, or mythically exaggerated fears of loss of sovereignty. The Law of the Sea Treaty has been strongly supported by administrations of both parties, by the military, and by environmental advocates. It remains unratified after more than twenty years, although Washington recognizes its provisions as general international law. There is no foreseeable prospect of ratifying the Comprehensive Test Ban Treaty either, though both of the original arguments against it have fallen apart. The US has observed a unilateral moratorium on nuclear testing for twenty-four years now—long enough to thoroughly negate the argument that it must test to assure the safety and reliability of its nuclear weapons. The technology to assure that the world would know if a country cheats has also been fully demonstrated.

The required two-thirds vote makes treaty approval hostage to small, but passionate, minorities. The home-schooling lobby played a large part in defeating the Convention on the Rights of the Child, for example, for it objected to children having the right to publicly supported education. As interest groups—especially well-funded ones—have acquired more and more influence over US politics in recent decades, it becomes easier to block anything that requires a supermajority.

But what is most notable, and most ironic, about the list of rejected treaties is that the United States actively

supports nearly all of them—indeed in several cases is the most active international supporter. At regular meetings of the parties to each treaty the American delegation is frequently the biggest, but as a nonparty it is a guest, sitting on the sidelines. Its delegates are backed by money, science, commitment, strong support from American nongovernmental organizations—everything but the right to vote as the treaty regime is developed.

Even more striking is the fact that most of these agreements were American initiatives to begin with or are concords that put American domestic law into international form. The test ban, rejected in 1999, follows a vision first offered by President Kennedy and sought by the US for decades. The Convention on the Rights of Persons with Disabilities is modeled on the Americans with Disabilities Act. The Biodiversity Convention follows American conservation laws. The Framework Convention on Tobacco copies American anti-smoking legislation. Still the international versions have been steadily rejected.

A president's ultimate solution to legislative opposition is to turn from treaties to executive agreements. Neither the Constitution nor *The Federalist Papers* makes any mention of such unilateral exercises of executive authority. But notwithstanding the howls of outrage on Capitol Hill last year challenging the president's right to reach a binding agreement with Iran without submitting it to Congress, there was nothing at all unusual in President Obama's choice of this method. Indeed, executive agreements have been the principal means of doing the government's international business since the beginning of World War II—and by no means only for minor matters.

Momentous accords of that era include the Atlantic Charter and the Yalta and Potsdam agreements. In the year 1952, the president made 291 executive agreements, more than the total reached from 1789 to 1889. The trend continued over subsequent decades as the executive's authority in foreign affairs expanded and as the sheer amount of international engagement made the slow and cumbersome process of treaty approval unfeasible.

Presidents of both parties have used executive agreements for the most weighty and controversial commitments, including Richard Nixon's 1973 peace agreement with Vietnam and Gerald Ford's 1975 Helsinki Final Act, which legitimized the boundaries of the USSR. In the five presidential terms in office from Jimmy Carter through Clinton's first term, American presidents reached an average of eight hundred executive agreements in each four-year term.

If anything, there have been times when it seemed to members of Congress as though major decisions were reached through executive agreements while the treaties on which they had a say were relegated to the small stuff. "We get many treaties dealing with postal affairs and so on," complained Senate Foreign Relations Committee Chairman William Fulbright. "Recently, we had an extraordinary treaty dealing with the protection of stolen art objects. These are treaties. But when we put troops and take on

# W.H. AUDEN

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commitments in Spain, it is an executive agreement."

Many members of Congress and countless commentators have insisted, as senators did in the Cotton letter, that an agreement with Iran or on climate change would be meaningless, valueless, illegitimate, and, above all, not binding without congressional approval. They are wrong. There are legal disputes about executive agreements, as there are about everything constitutional, but under international law the domestic process by which a country makes an international commitment is irrelevant. Thus an executive agreement is no less binding than a treaty. A country that chooses to repudiate a commitment it has made, whether by treaty or executive agreement, accepts the consequences.

To the limited extent that the Supreme Court has ruled on these matters, its 1936 decision in *US v. Curtiss-Wright Export Corp.*, reached by a 7-1 vote (and ironically drafted by a former member of the Senate Foreign Relations Committee), is unequivocal. The president, the Court held, is "the sole organ of the federal government in the field of international relations." He (or she) "alone has the power to speak or listen as a representative of the nation. . . . Into the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it." Based on law and custom, of the past six decades especially, what makes the Iran deal unusual is not that it was an executive agreement, but that President Obama was forced to compromise and submit it to Congress for approval.

### 3.

Much, then, is not new. Discord between the president and Congress over their respective responsibilities in foreign affairs is as old as the Republic. Periods in which the Senate constantly disagrees with the president have occurred before. John Hay, secretary of state to both William McKinley and Theodore Roosevelt, wrote that he doubted that "another important treaty would ever pass the Senate." Woodrow Wilson dubbed the Senate's treaty-making power its "treaty-marring power." And avoiding Congress altogether, even on the most critical decisions of war and peace, is a well-established practice of both Republican and Democratic presidents. What is new is a dramatically altered political environment, the intensely polarized character of the current struggle, the instant and worldwide exposure of American differences in today's media, and most fundamentally the consequences for American foreign policy.

Externally, the world could hardly be more different from 1991. As powerful as it remains, the US can no longer take dominance as a given, except in the military sphere. Its share of the global economy has shrunk as a result of the success of its efforts to foster others' economies. Threats that metastasize across the borders of collapsing states, whether as refugees or terrorists, are less amenable to the application of military force than are those from a strong opposing state. And because countries no longer have to choose between a Soviet or American security umbrella, the US can no longer count on automatic followers. Today, the support of foreign countries must be earned, and earned anew, by policies that meet *their* interests. Washington

can still twist the arms of many nations, but in recent years it has been surprised over and over again by the world's willingness to make international policy in the face of American disapproval—for example in banning land mines that devastate economies and civilians, especially children, and in creating an international criminal court.

But while America's power is relatively diminished, the scope over which it must act is dramatically larger. What the globalization of the last two decades means in practice is that matters that were once domestic are now international. Whether it is energy or agriculture or air pollution, the capitalization of banks, the control of viruses, climate change, or the capture and punishment of pornographers, the concerns of foreign affairs have grown exponentially.



Barack Obama and Vladimir Putin at a commemoration of the seventieth anniversary of D-Day, Normandy, France, June 2014

And on most issues the relevant solutions are not bilateral or even regional accords, but fractious global ones.

For many Americans, and for today's Republican Party in particular, this not-so-new state of affairs ranges from discomfiting to unacceptable. Negotiations, because they require compromise, seem acts of weakness. Settling for the best outcome in a bad situation seems like less than a hegemon should require. Calls on the campaign trail to recapture American greatness, and the enthusiastic response they receive, are not so much considered demands for more toughness or greater military strength as they are a vague wish for a world that is past.

Washington is under no obligation to approve every multilateral treaty. Some treaties are more hortatory than they are wise. But a pattern of rejecting virtually all of them is unmistakably not in the US interest. Life as a treaty non-party deprives Washington of a vote as new policies and institutions take shape, and weakens its leverage over others' choices. It drains moral authority. If they were parties to the Comprehensive Nuclear Test-Ban Treaty, the US and China would be in a stronger position, for example, to deal with North Korea's nuclear tests than they are today.<sup>3</sup> And

<sup>3</sup>The Comprehensive Nuclear Test-Ban Treaty cannot enter into force until eight more specific countries, in addition to the US, ratify it. Many of them are waiting for the US to act—or hiding

when US participation is essential to international success as it is, for example, on climate change, the US's inability to negotiate and join a multilateral commitment lowers the bar for the world.

If the US can bind itself through an executive agreement, does it matter that the Senate is passing through an era when it does not approve multilateral treaties? It does matter, because a treaty, carrying the weight of the Constitution, requiring a public debate, and bearing the approval of both branches of government shows a more serious national commitment. *US v. Curtiss-Wright* stands as legal precedent, but political considerations now matter more, and the polarization of American politics is so deep and politicization so all-encompassing that the traditional deference to presidential authority on foreign affairs is gone.

Future presidents can certainly do better than President Obama has in trying to work with Congress, but when opposition to a president from the other political party is nearly automatic, it is likely that the bitter divisions of our politics are going to prove increasingly costly to the international leadership that most Americans expect and to a world that badly needs American leadership. One way to estimate what that might mean is to ask what current politics would have meant to successes of the past.

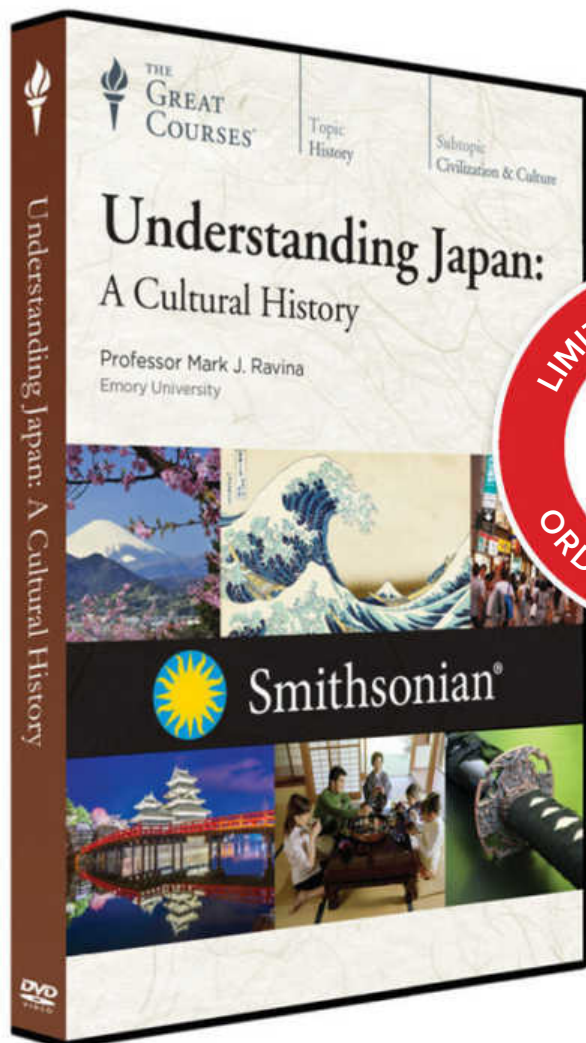
In the 1960s authorities expected thirty or more nuclear-armed states by the turn of the century. That there are nine today is due to the highly imperfect Non-Proliferation Treaty. Like the Iran deal, its commitments were only temporary. It allowed nonnuclear states access to fissile material, reprocessing, and enrichment because that was all that could be negotiated. And it committed the nuclear states to the extreme step of nuclear disarmament. It was flawed, but it was enough to build on. It is not pleasant to contemplate how many nuclear powers there would be today if the US had rejected the NPT in 1968.

More recently, the discovery of a large hole in the stratospheric ozone layer triggered an international response in the 1980s. The Montreal Protocol called for a 50 percent cut in the chemicals that caused the problem, but gave treaty parties leeway to change the number based on evolving science, without renegotiation. The cut was soon tightened to a ban. The ozone hole has since healed. Would today's Senate politics and special interest influence allow approval of such a treaty?

The globalized world in which every country's well-being depends on a thickening web of international rules and cooperation in nearly every sphere is not going to reverse course anytime soon. An America that can be counted on to say no as this process continues won't look like a leader, even one leading from behind, but more like it is expecting to be able to lead from outside the room. Nor is it obvious how or when our disabling partisan dissension might be eased. Unless Congress and the executive branch can find ways for Washington to speak more often with a unified voice abroad, and in a voice that recognizes growing global interdependence, the United States, and the world, will pay.

behind its inaction. China would likely ratify it if the US does.





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# Crossing the Invisible Line

Dan Chiasson

## **I Must Be Living Twice: New and Selected Poems, 1975–2014**

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## **Chelsea Girls**

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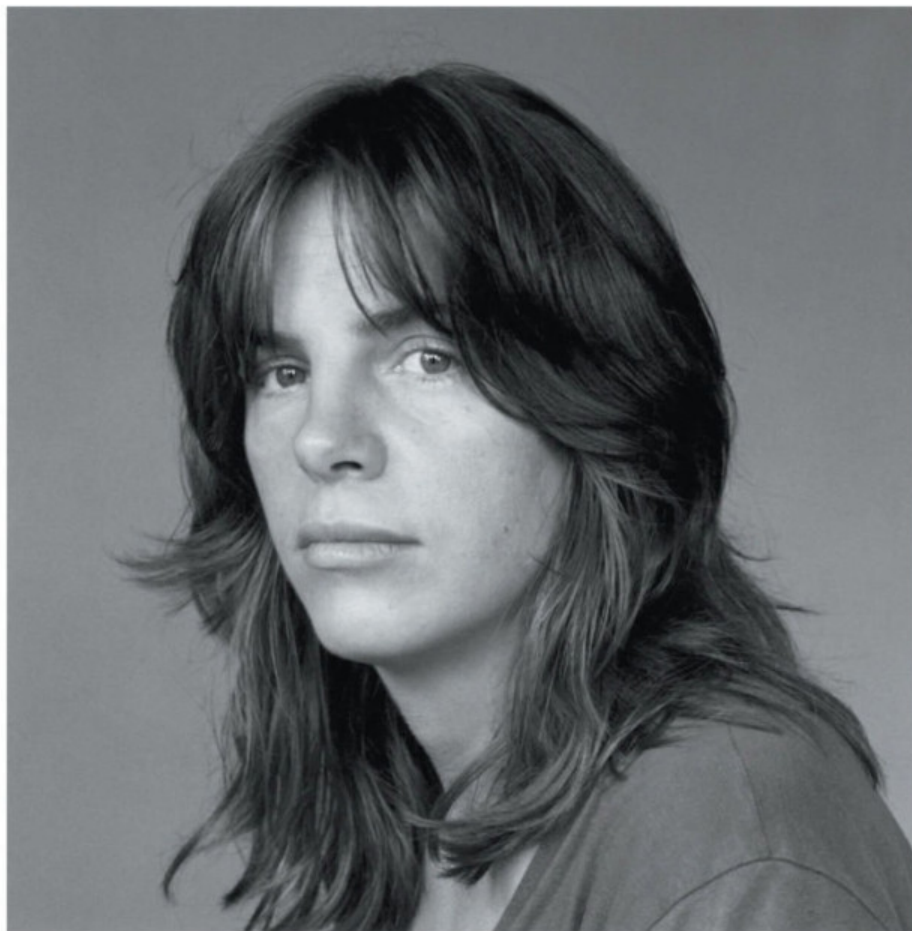
by Eileen Myles.  
OR Books, 271 pp., \$16.00 (paper)

### 1.

Eileen Myles's new and selected poems are titled *I Must Be Living Twice*, a phrase that any poet past the midpoint and looking back might utter, surprised to find a fund of work on the page as robust and spontaneous as any "real" life she lived. But Myles's poems set a bar for openness, frankness, and variability few lives could ever match; and so in her work, the surprise second life is actually the one lived off the page, refracted through decades of Myles's astonishingly vivid lines.

The solemnities of art are, in Myles, everywhere undermined: "I like to get really stoned/and revise everything I've ever done/Leaning/against the refrigerator," she writes in "La Vita Nuova." You'd score that a win for life, if it weren't for the fact that we hear about it in lines of verse. The title alludes to Dante; "leaning"—with the unshowy pun on Myles's first name—is among the most important words in American poetry, handed down to Myles from two of her New York heroes: Whitman ("I lean and loafe at my ease observing a spear of summer grass") and especially Frank O'Hara in "The Day Lady Died" ("I am sweating a lot by now and thinking of leaning on the john door in the 5 SPOT"). It is deeply characteristic of her that the most Dionysian moments are also her most vocational. Only a poet who agreed with Robert Frost that poems are "play for mortal stakes" would boast about getting stoned and heedlessly working on revisions.

Myles's work has always been uncompromisingly frontal, a face-forward presentation of herself, simultaneously vulnerable and scrutinizing. If you look at her, she looks back. Her classic autobiographical novel from 1994, *Chelsea Girls*, has been reissued to accompany the volume of poems. Photographs of the author appear on the front covers of both volumes. In the black-and-white Robert Mapplethorpe photo on the cover of *Chelsea Girls*, Myles looks young, ethereal, maybe high, and, perhaps most of all, dazzled—daunted to be Mapplethorpe's subject. It could be an album cover; it isn't the only detail of Myles's life and work that calls to mind Patti Smith. In Catherine Opie's recent color portrait of Myles on the cover of the book of poems, Myles looks brash, handsome, bemused—and, most importantly, neither male nor female (or both at the same time): "the gender of Eileen," as she has remarked in interviews. Myles sits on a stool, her muscular forearms and battered knees in the foreground. On a lark, in the 1990s, Myles ran for president as a write-in



Eileen Myles, 1980; photograph by Robert Mapplethorpe, from the cover of *Chelsea Girls*

candidate. This photo looks for all the world like a presidential portrait: switch out the wardrobe and readjust the posture a little, and Myles could be Calvin Coolidge or Ronald Reagan. There is a hint in this about the lines of formality and casualness in her work, the mutual reliance of spontaneity and calculation.

Myles has "lived twice" in several important senses. She is a poet perhaps best known for a book of prose: a memoir lightly disguised as a novel, itself a kind of double exposure. She's lived as a straight woman and as a lesbian; she is an addict who has long been sober. She is associated with Boston, where she was raised, and with New York, where she has, for decades, been a citizen of the East Village and various downtown art and poetry scenes.

Many of her recent poems call to mind, consciously, her earlier work, and this new book is made up mostly of poems being published in a book a second time. She has been young; she is now sixty-six, an age young people since the Beatles associate with being old. Her life is marked by new beginnings, her poems by retrospection and "self-thievery." One thinks of Hart Crane, a great influence upon her, and of his marvelous phrase "new thresholds, new anatomies." Her poems are chronicles of barriers first feared, then crossed, and of the physical and sensual pleasures and pains that followed. Her life is a series of crossed thresholds; her poems, so often about the ups and downs of having a body, are themselves bodies, "anatomies" formed in the aftermath of transformation.

Her work explores the power of look-alikes doubles, pairs, and substitutes. "All these rhymes all the time," she writes in "Smile": "I used to/think

Mark Wahlberg was family." How strange, in a life this courageously individuated, to find oneself duplicated in the voice and jawline of a stranger: Wahlberg and Myles indeed look alike, and carry the same broad working-class Boston accent, which Myles liked to break out, she has said, when workers showed up at her house in Provincetown, "to get the guys to not fuck us over."

"I am the daughter/of substitution," Myles writes:

*my father fell  
instead of the dresser  
it was the family  
joke, his death  
not a suicide  
but a joke*

Elsewhere, Myles describes her father's accident in more detail: he lands at her feet, which at first seems like an absurdist prank. Myles is at least the second important American poet to have witnessed her father's suicide as a child: John Berryman watched, from his bedroom window, his own father shoot himself in the yard. (Myles's story interestingly reverses the perspectives: she's on the ground, while Berryman is in the upstairs window.) But Myles's father didn't die right away. In *Chelsea Girls*, she describes the job of "watching" him as he slowly failed, lying on the couch and smoking. She has been punished that day at school; at home, she must minister to her father in front of her friend, Mary McClusky, who has stopped by after school:

Dad, the worst time ever with you  
was when Mary McClusky was  
over and you had your red lumber-  
jack shirt on and you were lying  
down and you had those awful  
headaches which kept pounding

and made you always look like you  
were going to cry, and you put your  
two fingers to your lips.... You  
couldn't talk and you kept mak-  
ing that two-fingered gesture even  
though I felt like it wasn't what you  
wanted I knelt down and kissed  
you in front of Mary which was  
hard because she is such a tomboy.  
"No, God damn it, a cigarette."  
"She kissed him," Mary laughed.  
Myles kissed him.... I think I just  
wanted to kiss you in front of Mary  
because you were lying there sick.

Tense here is everything: "I knelt down and kissed you in front of Mary which *was* hard because she *is* such a tomboy." On the plane of writing, Myles reminds us, everything that was still is, and everything that is already was. Insight that arrives decades later is inserted into the original scene; while the intensity of response, the shame, the mockery—everything ostensibly in the past—represents itself. This is why the word "representation" is so crucial to what an artist like Myles does.

A "daughter of substitution" sees multiple forms of herself distributed across the years, and concludes—or fears she must conclude—that she doesn't exist at all, if existence requires a single, unique manifestation, consistent across the arc of time. "Eileen" becomes a fully fledged artist as a sign of difference from her childhood; but standing out, for a working-class girl from Boston, educated in Catholic schools, is an affront to authority, which reasserts its power through forced reiteration:

*Eileen spoke  
so well about the creative  
process. Maybe she would  
like to do it again.*

That's the way nuns run a classroom (I'm a working-class New Englander, too; I, too, was taught by nuns and priests): if you speak out of turn, or distract your neighbor, you have to repeat it in front of the whole class. Authors are asked, at readings and at conferences, about "the creative process": a person from Myles's background never gets used to speaking up publicly, since the classroom fear of disobedience and swift reprimand is so ingrained.

Later in the same poem, "A Debate with a Glove," the demand for recitation, transported to adulthood, becomes a remembered prelude to sex. It is "five" after a night out; Myles asks to be "alone" in bed with "my sex" and "my beautiful hands." Autoerotic fantasy is internalized seduction: a single self contains both pursuer and pursued. We are in what I take to be a remembered pickup bar, crossing the invisible line when late in the night becomes early in the morning. Here the prompts for answers and the answers themselves are part of a single weave:

*Tell me something else.  
Was I married.  
Have I been here  
before. Why am I  
always in between.*



Is it late or  
is it early.  
Money, I could  
give a shit.  
Fame, forget it.  
An authenticity  
that rattles  
my bones. Is  
it two of  
everything  
or one.  
It is none.

Two, one, none: this little countdown—to orgasm, to insight—is also a vanishing fuse. The ecstasy subsides and guilt takes its place:

I'm sorry we  
went to war  
with you &  
broke your  
bridge.

The aftermath of sex becomes the aftermath of a war, with Myles the baffled aggressor who has scored a regrettable victory. What kind of token gesture of reconciliation will suffice? "I'll fix it now," she writes: "Should/we get married/or something?"

Of course the poem is the reconciliation, the marriage, the bridge: the fix. In *Inferno (A Poet's Novel)*, published in 2010, Myles tracks writing back to the people, situations, accidents, misunderstandings, ill-advised arrangements, and schemes that threaten to trip up the poems they paradoxically inspire. These makeshift conditions are always shifting, always comically adverse, and always, when you meet them in poems, offered in the spirit of friendly polemic. The poet is supposed to be a "beautiful stoner boy or an intellectual," as Myles put it in a recent *Paris Review* interview:

There's a whole female industry engaged in materially supporting the illusion that the artist doesn't work directly on his legacy, his immediate success. He's just a beautiful stoner boy or an intellectual. All thought. No wife? I like turning that illusion inside out. And making the work be literally about the field and the failures and even the practice. I wrote about these things in *Inferno* because Dante did. We should let the writing world and its ways of distributing awards be part of fiction. We should expose the very cultural apparatus that is affecting the reception of the book you're reading. What's dirty is that we're not supposed to talk about how it has sex and reproduces.

*Inferno* is the right title for this book, its vivid particulars seen under the sign of tragedy (among many other things, Myles is a great poet of the New York of the 1970s and early 1980s that ended forever with AIDS). Myles moves into her first apartment in New York, on 71st and West End, with a roommate, Alice, who is "tapped into a lesbian network that funded their activities by selling subway slugs." A guy at Myles's work buys a bag, then proposes that the two of them have sex, have a baby, and sell it for \$15,000. This kind of absurd profiteering suggests how tenuous it is to write and sell poetry. It exists on an economic continuum that includes counterfeit subway tokens and for-profit pregnancy.

## 2.

"Why am I/always in between," Myles asks in "A Debate with a Glove." *Chelsea Girls* is a dynastic book, beginning with the death of Myles's father and ending with the death of a father figure, often couch-bound like her own father, whom she tended: the great New York School poet James Schuyler, whom Myles, short on cash, cared for in his last period, while he was living in ennobled squalor in a room at the Chelsea Hotel.

Myles is somewhere "in between" these two men, "living twice" by helping both of them die. The abrupt violence, even gore, of her real father's death, landing at her feet (though he died somewhat later of a cerebral hemorrhage), is replaced, in this autobiographical novel, by Schuyler's own slow deterioration. He had lost nearly all his friends and burned down his apartment with a cigarette. The picture of Schuyler is unbelievably tender and weirdly clinical, like something a queer Hazlitt would have written if he were a dyke poet tending to an old queen:

Hello Dear. Sometimes I came in and he was sitting on his chair by the bright window. He got up early. He told me that, but I could also surmise it from the number of cigarettes in the ashtray which he never dumped, and how much spilled Taster's Choice was on the kitchen counter. (*John* [Ashbery] says Taster's Choice is the best. The emphasis on John meant both that it was a funny thing to have an opinion on and a useful tip that one should take.) I saw his dick a lot. Probably more than any other man's in my life. It wasn't small, it was kind of large. As I would narrate my nightly voyage he would tell me about all his affairs in the forties and fifties and invariably these often very famous men who were practically myths now would be rated: He was like sleeping with a reptile. Really icky. Edwin. He had a lovely dick. I'd be standing over him holding a dirty dish and figured to leave the silence alone. Well yours looks pretty good I might say as it nudged out of his boxer shorts.

The scene mixes desire and disheveled interiors as a way of stopping time: Schuyler is both father and child; Myles is both liberated to describe her "nightly voyage" (voyages have destinations; Schuyler's apartment was hers) and held subservient, this time by choice, in a little world where women were somewhat beside the point. The cigarettes are units of time, much like lyric poems, their intervals reckoned differently by old and young, the healthy and the sick.

The episode ends with Myles reading one of her new poems to Schuyler, who is at this point sound asleep. Myles discovers the poem on a "damp" napkin when she jams her pay, three dollar bills, into her pants. It might have occurred to Myles not to read a poem that includes the line "the old are very ugly" to Schuyler, but this is the point—the amalgam of repulsion and love, the poem severing a transaction it creates:

When you see them  
smoking a cigarette, it's

like the tip of the iceberg.  
And their boozy wrinkles  
under their eyes. You  
know I like this evening.  
... Your  
beauty, mine,  
our drinks, I wonder  
if I should catch  
up, you're drinking  
faster than me, Oh  
I guess I'll get  
another vodka tonic  
and see how the evening  
goes. Clink-Clink.

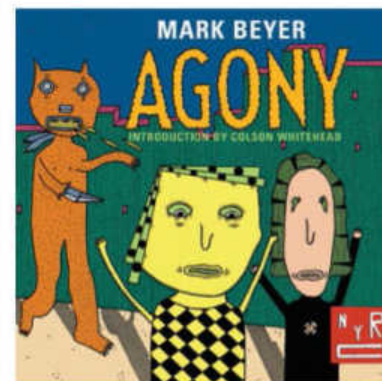
It's a charming enough poem; and, I would guess, it worked at what it was intended to do: lure this girl into bed. But that's not why Myles reads it to Schuyler, or why she quotes herself reading it to Schuyler on the last pages of her autobiographical novel. The poem is homage, only deepened by its ostensible cruelty to the old iceberg in the chair, his "boozy wrinkles" revealing a lifetime of experience. It is written in Schuyler's ribbon-like short lines, haltingly enjambed; it reminds me especially of Schuyler's heartbreaking poem, for me his greatest: "This Dark Apartment."

With Myles and her generation of poets, we have a class of artists whose identity was, for a long time, wrapped up in their being junior, their ire and adoration directed upward toward the big talents that preceded them. Myles is sometimes misunderstood on the basis of a single poem, which depressingly keeps cropping up in reviews of these volumes—mine, alas, being no exception. "On the Death of Robert Lowell" is her blurted, blasphemous, punk, and utterly Bostonian elegy for Lowell:

O, I don't give a shit.  
He was an old white-haired man  
Insensate beyond belief and  
Filled with much anxiety about  
his imagined  
Pain. Not that I'd know  
I hate fucking wasps.  
The guy was a loon.  
Signed up for Spring Semester at  
MacLeans  
A really lush retreat among pines  
and  
Hippy attendants. Ray Charles  
also  
once rested there.  
So did James Taylor...  
The famous, as we know, are nuts.  
Take Robert Lowell.  
The old white-haired coot.  
Fucking dead.

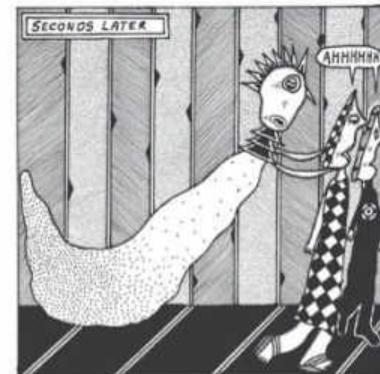
Now Myles is older than Lowell when he died, and enjoying her greatest moment of accomplishment and fame. Her very presence in the world is a form of activism, but her work, when studied with care, is also political in the sense that it gives evidence of one of the richest and most conflicted human hearts you're likely to find. When, many years from now, she passes away, may she be elegized rudely by some brat clearing the nettles from her path, just the way she did with Lowell (and, in a more complex gesture, with Schuyler). This kind of schoolyard insult—"The guy was a loon"—is almost hilariously transparent as an expression of desire, and it is part of what the art's all about. □

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# Solving the Mystery of the Schools

Diane Ravitch

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In recent years, American public education has been swamped by bad ideas and policies. Our national leaders, most of whom were educated at elite universities and should know better, have turned our most important domestic duty into a quest for higher scores on standardized tests. While it is true that students must do well on standardized tests to enter universities, few of the better universities judge students' knowledge and ability solely by such flimsy measures. Thus it is puzzling why public officials have made test scores the purpose of education.

The heavy reliance on standardized tests in schools began with the passage of George W. Bush's No Child Left Behind legislation in 2001. The law mandated that every child in every school would take standardized tests in reading and math from grades three through eight and would achieve "proficiency" by the year 2014. No excuses. Even children who could not read English and children with significant cognitive handicaps would be expected to reach "proficiency." Every state was left to define "proficiency" as it wished.

The punishments for not achieving higher test scores every year were increasingly onerous. A school that fell behind in the first year would be required to hire tutors. In the second year, it would have to offer its students the choice to move to a different school. By the end of five years, if it was not on track to achieve 100 percent proficiency, the school might be handed over to a private manager, turned into a charter school, taken over by the state, or closed. In fact, there was no evidence that any of these sanctions would lead to better schools or higher test scores, but no matter.

With these sanctions in mind, schools made intense efforts to prepare children to take the all-important tests. In some places, like Atlanta, Washington, D.C., and El Paso, Texas, teachers, principals, and superintendents cheated, changing the scores to save their jobs or their schools. Schools across the nation spent more time and money on preparing materials to help students pass tests and reduced the time for the arts, science, history, physical education, and even recess. Some states, such as New York and Illinois, manipulated the passing scores on the tests by lowering the definition of proficiency needed in order to demonstrate progress.

After Bush left office and was replaced by Barack Obama, the obsession with testing grew even more

intense. Congress gave Secretary of Education Arne Duncan \$5 billion in economic stimulus funds to encourage education reforms. Duncan released a plan in 2009 called Race to the Top, pledging that American students would be "racing to the top" of the international tables of comparative scores if they followed his policies.

In order to be eligible to compete for a share of that money at a time of deep economic distress, states had to adopt Duncan's strategies. They had to expand the number of privately managed charter schools in the state; they

advocacy for the Common Core standards and his funding of Race to the Top. However, he did allocate \$360 million to two consortiums of testing experts to prepare new tests for the Common Core State Standards.

As it happened, the Bill and Melinda Gates Foundation spent at least \$200 million to pay for the writing and distribution of the standards. It also awarded millions of dollars to practically every influential national education organization to encourage them to support the standards, including the two major teachers' unions, think tanks on the



Cory Booker, then mayor of Newark, and Facebook CEO Mark Zuckerberg with eleventh-grade math students at the KIPP Newark Collegiate Academy, a charter school, September 2010

had to agree to adopt "college-and-career-ready standards" (which were the not-yet-completed Common Core State Standards). They had to agree, moreover, to evaluate teachers in relation to the rise or fall of the test scores of their students; and they had to agree to "turn around" schools with low test scores by firing the principal, or firing all or half of the staff, or doing something equally drastic.

The standardized tests immediately became more important than ever. Some states introduced standardized testing as early as kindergarten to begin getting children ready for the big standardized tests that would consume their time in school from grades three through eight. The competition among the states was keen; everyone needed more money. Forty-six states and the District of Columbia changed their laws to make themselves eligible for Race to the Top funding; only eighteen states and D.C. won the money.

Duncan endorsed the premise of the No Child Left Behind Act that standardized tests are the best measure of student achievement; but he was upset that the fifty states each had its own standards and tests. Thus when several Washington-based groups (the National Governors Association, Achieve, the Council of Chief State School Officers, and Student Achievement Partners) began work on national standards, Duncan cheered them on. Federal law bars any federal official from seeking to influence or control curriculum or instruction, and Duncan drew a fine line between his outspoken

right and left, and civil rights organizations. Advocates for the standards claimed that they would make America globally competitive and would close the gaping test score gaps between white and Asian students on one hand, and African-American and Latino students on the other.

They didn't know that this was true because the standards had been just written and never tried out, but they dutifully carried this message to the mass media and the public. Before long, a public backlash developed against both the Common Core standards and testing, in large measure because they were imposed with minimal public awareness, consultation, and engagement.\*

Educators were overwhelmed in a short period of time by the mandates raining down on them from the state and federal governments. Early childhood experts complained that the Common Core standards were too academic for young children and that they squelched play and socialization. Kindergartners are expected to learn to read; experts say that it doesn't matter when children start reading, whether at four, five, six, even seven. The five-year-olds are also supposed to master the conventions of capitalization and

\*More information about the history of the controversial Common Core standards and tests is contained in Mercedes Schneider's *Common Core Dilemma: Who Owns Our Schools?* (Teachers College Press, 2015).

punctuation, even though many are just beginning to learn how to hold a pencil.

The standards created unnecessary controversy by setting an artificial division between the percentage of time students read either literature or "informational text." In fourth grade, students are supposed to spend 50 percent of instructional time reading literature and 50 percent on informational text. By twelfth grade, only 30 percent of student readings should consist of literature, and the remaining 70 percent of informational text. No other nation in the world, to my knowledge, tells teachers what proportion of their reading assignments should be literature or nonfiction.

Independent researchers contended that the standards were two grade levels above the capacity of the students for whom they were written. No efforts were made to field-test the standards in order to see how they worked in real classrooms with real students and to learn whether they would disproportionately affect the test scores of students who were already at the bottom. The tests were designed with an absurdly high passing score, and in every state, a majority of students failed to meet the test-makers' definition of "proficiency."

In New York State, 220,000 students refused to take the state tests in 2015. This is called "opting out" of the test. A survey conducted by the Council of the Great City Schools, which represents sixty-eight urban districts, reported that the average student takes 112 standardized tests from pre-kindergarten to the end of high school, most of which are mandated by the federal government. The new online tests for the Common Core require children in grades three to eight to sit for fifteen to twenty hours over a two-week period to measure their reading and math skills. National opinion polls showed that a majority of parents thought there was too much testing in schools.

In response to such expressions of parental opposition, the Obama administration announced in late October that it was taking action to reduce the burden of standardized testing. Secretary Duncan issued a statement saying that testing was consuming too much instructional time and "causing undue stress for students and educators." The one concrete proposal in the Obama "Testing Action Plan" was advice to states and districts to limit tests to no more than 2 percent of class time. Since most schools are in session 180 days a year for at least six hours a day, the limit translates to twenty-one hours of testing time. In other words, the 2 percent "limit" merely confirmed the status quo, while giving the appearance that the administration was making genuine changes. Nothing in the administration's plan allowed states to drop the failed practice of evaluating the quality of teachers by the test scores of their students.

In early December, Congress passed and President Obama signed a new federal law, replacing Bush's No Child Left Behind. It is called the Every Student Succeeds Act, or ESSA, which is another way of saying "no child left behind" (why Congress feels the

Gary He for Facebook



need to put an unrealistic prediction into the title of legislation is baffling). Like NCLB, the new law requires annual testing of students in grades three to eight in reading and mathematics, but it turns this responsibility over to the states. ESSA prohibits future secretaries of education from meddling in states' decisions and contracts the federal role in education. It also eliminates federal punishments for schools and teachers with low test scores, leaving those decisions to the states. What is not abandoned is the core belief that standardized testing and accountability are the right levers to improve education.

The best metaphor for education reform today is Dr. Seuss's children's book *Yertle the Turtle*. Yertle, the master turtle, forced all the other turtles to pile themselves into a very high stack so that he could survey his kingdom. From where Yertle sat, perched on top, everything looked grand and glorious. Those on the bottom were not experiencing anything but pain and frustration. When the pile collapsed, Yertle was brought back to earth and got his comeuppance. This will likely be the fate of the politicians, economists, and business leaders who decided to reform the nation's schools, at a distance, without consulting working educators.

And thus we have two new books—Dale Russakoff's *The Prize* and Kristina Rizga's *Mission High*—that give readers the view from the top and the view from the bottom. They are both excellent. By sheer coincidence, the authors each spent four years embedded in the stories they report. Each learned different but not conflicting lessons.

Russakoff's *The Prize* is a gripping story about a plan hatched by Mayor Cory Booker of Newark and newly elected Governor Chris Christie of New Jersey to turn Newark into a national model of education reform. Central to this hoped-for miraculous transformation was a gift of \$100 million by Facebook founder Mark Zuckerberg, matched by donations of another \$100 million by other philanthropists who wanted to take part in a great adventure.

Russakoff was for many years a political reporter at *The Washington Post*, and she writes with wonderful clarity about a complex story that above all concerns politics—Newark politics, New Jersey politics, the politics of extracting large sums of money from very rich donors, the politics of rich white people imposing change on a suspicious African-American community. This is not to say that Russakoff neglects education, but the focal points of her story are the struggle for control of Newark's \$1 billion budget (“the prize”) and the struggle between would-be reformers like Cory Booker and the people of Newark, who wanted some say in what happened to their children.

Newark is the largest city in New Jersey, but one of the poorest. Its population contracted after the riots of the 1960s, and turned from majority-white to majority-black. Enrollment in its public schools dropped dramatically, as Russakoff shows. In 1967, there were about 77,000 students; currently, there are about 30,000, with another 13,000 in charter schools. More than 70 percent of families are headed by a single parent; 42 percent of children

live below the poverty level; and the median income for families with children is less than \$30,000. Newark's public schools had abysmal test scores and graduation rates and were generally considered a failure, despite high annual expenditures.

Newark had one major attraction for the reformers. Its schools have been under state control since 1995. The governor had total control of the district, its budget, and its leadership. The district had been taken over by the state because of poor academic performance and pervasive corruption. But in the next fifteen years, the state had not gotten better results than the regime it displaced. Newark's mayor since 2006, Cory Booker, wanted to uproot the school system and start over.

Booker had been raised in the nearly all-white suburb of Harrington Park, New Jersey, and had graduated from Stanford, Oxford, and Yale. He was a frequent guest on national television shows, and he moved easily among the rich, the powerful, and the famous. Russakoff describes a ride that Booker took with Governor-Elect Christie through Newark one night in December 2009, when they agreed to create a plan for a radical transformation of the Newark public schools. The confidential draft of the plan that Booker sent to Christie proposed turning Newark into “the charter school capital of the nation,” weakening seniority and tenure, recruiting new teachers and principals from outside Newark, and building “sophisticated data and accountability systems.”

In July 2010, Booker attended an invitation-only meeting in Sun Valley, where he mingled with fabulously wealthy hedge fund managers and high-tech entrepreneurs. There he met Mark Zuckerberg. Booker knew that venture philanthropists were looking for a “proof point,” a city where they could demonstrate the success of their business-style school reforms. He persuaded Zuckerberg that Newark was that city. Booker believed that a great education would set every child on the road out of poverty, and he also believed that it would be impossible to do this in the Newark public schools because of their bureaucracy and systems of tenure and seniority. That's why he wanted to spend money turning the city into an all-charter district, without unions, where like-minded reformers could impose the correct reforms, like judging teachers by test scores, firing teachers at will, and hiring whomever they wanted.

That September, Zuckerberg, Booker, and Christie announced the gift of \$100 million on *The Oprah Winfrey Show*, to tumultuous applause. When Winfrey asked Zuckerberg why Newark, he responded, “I believe in these guys. . . . We're setting up a \$100 million challenge grant so that Mayor Booker and Governor Christie can have the flexibility they need to . . . turn Newark into a symbol of educational excellence for the whole nation.”

As Russakoff points out, “What Booker, Christie, and Zuckerberg set out to achieve in Newark had not been accomplished in modern times—turning a failing urban school district into one of universally high achievement.” Like other reformers, Booker earnestly believed: “We know what works.” Zuckerberg's money would give him the chance to prove it. But while the media saw Booker as the “rock star mayor,”

he faced a growing budget deficit and soaring violent crime when he returned from his frequent fund-raising travels.

Inevitably there was a popular backlash against Booker, who was perceived by many locals as spending too much time with his famous and rich white allies. The anti-Booker figure was Ras Baraka, son of the poet and playwright Amiri Baraka. Ras, a teacher and principal at Central High School, went to a black university, not the Ivy League.

In one of the classes Russakoff visited at Central, a young English teacher wrote a word on the whiteboard and invited students to write “whatever came to mind.” When he wrote the word “hope,” some of the responses were recorded by Russakoff:

Fourteen-year-old Tyler read his poem to the class:

*We hope to live,  
Live long enough to have kids  
We hope to make it home every  
day  
We hope we're not the next  
target to get sprayed. . . .  
We hope never to end up in  
Newark's dead pool  
I hope, you hope, we all hope.*

A boy named Mark wrote, “My mother has hope that I won't fall victim to the streets. / I hope that hope finds me.”

Khalif: “I hope to make it to an older age than I am.”

Nick: “Living in Newark taught me to hope to get home safe.”

Tariq: “Hope—that's one thing I don't have.”

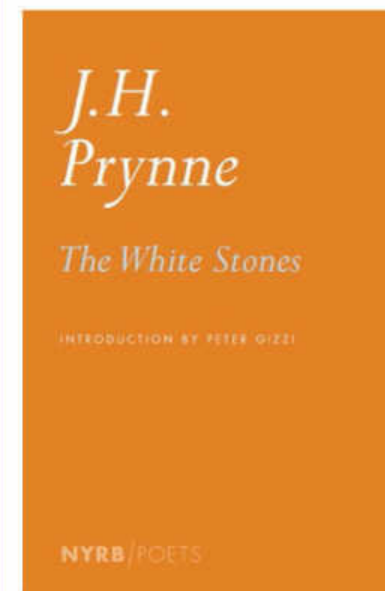
After Booker and Christie accepted the gift from Zuckerberg, they began the search for matching funds and for a superintendent who shared their ideas about “reform.” It took them nearly a year before they found Cami Anderson, who had all the right qualifications. Although she was white and blond, she had grown up in a multiracial home; her domestic partner was African-American, as was her child; she had worked for Teach for America; and she was a rising star under Chancellor Joel Klein in the New York City Department of Education. Booker and Christie were particularly impressed with her toughness, a quality that was necessary in the job ahead of her.

Russakoff describes Anderson's struggle to take control of the school district and impose reforms that outsiders loved and locals did not. The locals perceived her as an agent of the white philanthropists who had put up the money. She never won their confidence. In a city of deep poverty, she was making close to \$300,000 a year, and she hired pricey consultants. Newark had a powerless elected school board, and locals insulted Anderson at school board meetings. She stopped attending them.

Christie persuaded the Democratic legislature to weaken tenure but not seniority rules. Anderson's biggest accomplishment was negotiating a new contract with the teachers, which included performance pay and a new teacher evaluation system, as well as \$31 million in back pay for teachers.

The most difficult time of Anderson's tenure came when she imposed a reorganization of the school system that

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—Robert Potts, *The Guardian*

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wiped out neighborhood schools and reassigned students across the district. The residents' outrage boiled over as their children were assigned to distant schools instead of the one across the street. One father of five, accustomed to walking them to school every day, was furious when his children were assigned to five different schools in three different wards.

By the end of the story, Cory Booker has been elected to the US Senate; Chris Christie is running for president. Ras Baraka has been elected mayor, after using Cami Anderson's reforms as his major campaign issue, and Anderson has resigned. There are now more charter schools in Newark. None of the reformers gave much thought to the majority of children who are not in charter schools, and not all of the charter schools are successful.

Mark Weber, an experienced teacher and graduate student at Rutgers, criticized Russakoff's book for "creating a false picture of the reality of schooling in Newark." Weber challenges her claim that Newark's public school system "suffers from budgetary bloat." He shows that charter schools spend more money on administration than public schools; he also disputes her belief that charter schools have more social workers than public schools. He commends Russakoff, however, for recognizing that the charter schools in Newark enroll a different, more advantaged student population than public schools, making test scores comparisons between them invalid.

The only one who seems to have learned from the experience is Mark Zuckerberg, who watched as his \$100 million was drained away by consultants, labor costs, and new charter schools. The Newark experiment did not produce a "proof point" or a replicable national model. He must have recognized a cautionary tale about the importance of working with local residents and not treating them and their children as objects to be moved around heedlessly by outsiders. Russakoff writes that Zuckerberg and his wife, the pediatrician Priscilla Chan, determined to concentrate their future philanthropy on schools with comprehensive community-based social, medical, and mental services for children, beginning before kindergarten.

Unfortunately, Zuckerberg and Chan did not learn as much as Russakoff believed. They recently announced that they would celebrate the birth of their daughter Max by pledging 99 percent of their Facebook stock (worth about \$45 billion) to a new limited liability corporation, with "personalized learning" as one of its goals. In the world of education jargon, "personalized learning" means computerized instruction, every child learning on a computer that recognizes and responds to the child's strengths and weaknesses. This is actually impersonalized, machine-based instruction, and the research to date shows that it is not helpful to children.

The most valuable education emerges from live interactions between teachers and students, not from the algorithms built into computers to deliver scripted lessons. As a pediatrician who has worked in poor communities, and a graduate of Quincy High School in Massachusetts, Priscilla Chan should know better. Perhaps she will persuade her husband to redirect their fortune to the goals described by Russakoff.

Kristina Rizga is a journalist who covered education for *Mother Jones* (and has returned to its staff). After writing about education for several years, she decided to embed herself in a struggling school over a long period of time so that she could understand the issues better. The school that gave her permission to be a "fly on the wall" was Mission High School in San Francisco. It has 950 students with passports from more than forty different countries. Latino, African-American, and Asian-American students make up the majority of the students; 75 percent are poor, and nearly 40 percent are learning English.

But she received low scores on the standardized tests mandated by law, because of her weak English skills. Rizga saw Maria's remarkable intellectual, social, and emotional development during her four years as an observer at Mission High. She often failed standardized tests, which seldom reflected her ability or potential. Eventually, as her familiarity with English improved, she scored well enough on the college entrance examinations to gain admission to a good college.

Rizga devotes chapters to the students she gets to know well, who blossom, as Maria did, as a result of their interactions with dedicated Mission

What Rizga learned is worth sharing. For one, she discovered that "there are too many politicians, powerful bureaucrats, management and business experts, economists, and philanthropists making decisions about the best solutions for schools." In short, the people in charge don't know nearly as much about schooling as the students and teachers they are trying to "fix."

Rizga realized that standardized test scores are not the best way to measure and promote learning. Typically, what they measure is the demographic profile of schools. Thus, schools in affluent white suburbs tend to be called "good" schools. Schools that enroll children who are learning English and children who are struggling in their personal lives have lower scores and are labeled "failing" schools. Hundreds, if not thousands, of such schools have closed in the past decade. Rahm Emanuel, mayor of Chicago, closed fifty schools in a single day, despite the protests of parents, students, and teachers. Rizga writes:

Some of the most important things that matter in a quality education—critical thinking, intrinsic motivation, resilience, self-management, resourcefulness, and relationship skills—exist in the realms that can't be easily measured by statistical measures and computer algorithms, but they can be detected by teachers using human judgment. America's business-inspired obsession with prioritizing "metrics" in a complex world that deals with the development of individual minds has become the primary cause of mediocrity in American schools.

Rizga used to believe that education reform happens when struggling schools adopt models based on the experience and "best practices" of similar schools with high test scores or of other nations whose test scores are high. But she saw "firsthand how copying and pasting blueprints from other places doesn't work." Every school has a "unique ecosystem" and all children have individual personalities, interests, and needs.

Her advice should have been taken by Booker, Christie, Anderson, Zuckerberg, and the other Newark reformers:

Educational reforms won't succeed unless there is greater inclusion of the voices of students and teachers and the use of more complex, school-based markers [instead of standardized tests] that can give us a much deeper insight into what quality education means and how sustainable change can happen in all struggling schools.

The authors of these two books demonstrate that grand ideas cannot be imposed on people without their assent. Money and power are not sufficient to improve schools. Genuine improvement happens when students, teachers, principals, parents, and the local community collaborate for the benefit of the children. But a further lesson matters even more: improving education is not sufficient to "save" all children from lives of poverty and violence. As a society, we should be ashamed that so many children are immersed in poverty and violence every day of their lives. □



*Students at Mission High School in San Francisco on the day of a forum for students citywide to discuss racial inequality and police brutality, December 2014. Organized by Mission High's black student union and the NAACP, the panel included Michael Brown Sr., whose son was shot and killed by a police officer in Ferguson, Missouri, that summer.*

Mission is a "failing school" because it has low test scores. When Rizga first entered Mission in 2009, it was one of the lowest-performing schools in the nation, as judged by standardized test scores. And yet, contrary to the test scores, 84 percent of its graduates were accepted to college, and other indicators were positive.

One of the six students Rizga followed closely, an immigrant from El Salvador named Maria, asked her, "How can my school be flunking when I'm succeeding?" Maria arrived at Mission High School knowing no English. After only one year in the US, she had to take the same state tests as other students:

By eleventh grade she was writing long papers on complex topics like the war in Iraq and desegregation. She became addicted to winning debates in class.... In March 2012 Maria and her teachers celebrated her receiving acceptance letters to five colleges, including the University of California at Davis, and two prestigious scholarships.

teachers. She also devotes chapters to teachers who devote themselves to their students with intense enthusiasm. What the teachers understand that reformers like Booker, Christie, and Anderson do not is that human relationships are the key to reaching students with many economic and social problems.

In contrast to Newark, Mission is a good example of bottom-up reform, where teachers work together and lead the changes that benefit the students. The principal of Mission, Eric Guthertz, has twenty-eight years of experience in urban schools. He encourages his teachers not to "teach to the test," but to use a rich curriculum, hands-on projects, field trips, art and music classes, elective courses, and student clubs. In view of the diversity of the students, Guthertz believes in the value of such clubs as well as after-school programs, and extracurricular activities that teach important skills, like getting along with students from different cultures.

And yet Mission High School was said to be failing.

Hannah Albarazi/Bay City News Service



# How the French Face Terror

Mark Lilla

## Open Letter:

### On Blasphemy, Islamophobia, and the True Enemies of Free Expression

by Charb,  
with a foreword by Adam Gopnik.  
Little, Brown, 82 pp., \$16.00

## Who Is Charlie?:

### Xenophobia and the New Middle Class

by Emmanuel Todd, translated from the French by Andrew Brown,  
with maps and diagrams  
by Philippe Laforge.  
Polity, 211 pp., \$19.95

## Situation de la France

### [France's Situation]

by Pierre Manent.  
Paris: Desclée de Brouwer,  
173 pp., €15.90 (paper)

## Terreur dans l'Hexagone:

### Genèse du djihad français

### [Terror in the Hexagon: The Genesis of French Jihadism]

by Gilles Kepel, with Antoine Jardin.  
Paris: Gallimard,  
330 pp., €21.00 (paper)

Intellectuals, no less than politicians, respond to crises based on what they think they learned from earlier ones. It is difficult to see what is genuinely new in an emergency, harder still to admit ignorance in the face of it. Our instinct is to assume that the unforeseen confirms our picture of the world rather than the necessity of altering it. The temptation to settle old scores is particularly hard to resist. The response of American intellectuals to the terrorist attacks of September 11 and the wars that followed was a case in point. Looking back, one senses that the arguments between neo-conservatives, liberal hawks, and the wars' opponents were more about what lessons were to be drawn from the Vietnam War than about understanding the novel challenges posed by al-Qaeda and potential repercussions for the region.

The immediate response of French intellectuals to the January 2015 Islamist terrorist attacks in Paris was similar.<sup>1</sup> For decades they had waged a bitter argument, occasioned by the growing Muslim presence in the country, about what kind of society France should be: a classic republic based on a strict separation between religion and the public sphere, or a more multicultural society that recognized, if not celebrated, "difference." The mass killings by French-born Muslims of Jews and journalists were immediately framed in these terms, as the consequence either of abandoning the principle of laicity or of the social exclusion of Muslims. It is significant that the books that best captured the mood in the months after the attacks had been written well before them: Éric Zemmour's scathing polemic *The French Suicide* and Michel Houellebecq's best-selling novel *Submission*, which was published the day of the *Charlie Hebdo* killings.

The highly coordinated massacres this past November by a team of European terrorists inspired by ISIS have shifted the debate radically. It is simply no longer possible to ignore the fact that international jihadism is a phenomenon in its own right, not the spontaneous result of abandoning secularism or religious prejudice. Nor is it possible to act as if France's continuing integration into a European Union with weak external border controls and nonexistent internal ones has not increased the threat of attacks. Nor can it be denied, for that matter, that the sudden, enor-

appeared in a Danish newspaper, *Charlie* was the only French paper to publish them and from that point on was in the sights of Islamic jihadists. In 2011 the paper's offices were fire-bombed, in 2012 Charb started getting death threats, and in 2013 al-Qaeda put him on its most-wanted list. None of this seemed to faze Charb; in fact he became more combative and provocative in editing the paper. In 2014 he decided to write a short book defending his views on freedom and religion, and turned in the manuscript two days before he was assassinated.



A demonstrator with an issue of *Charlie Hebdo* at the march against terrorism, Paris, January 11, 2015. The cartoon on the cover shows a Jew, a Catholic, and a Muslim demanding that "Charlie Hebdo" must be veiled!

mous immigration from Muslim countries as a result of the Syrian civil war and the military advance of ISIS does not further increase the risk. While there are sharp political arguments today over the security measures the French government has taken since the attacks, the nature of the threat is no longer in question.

From January until November 2015 France lived in a kind of twilight, aware of something new but incapable of staring it in the face. This is what makes the books published in this period so interesting and revealing. They provide a record of a country going through the classic stages of trauma: denial, anger, negotiation, and depression. Only now are there beginning to be signs of acceptance of the new French reality and of the need for fresh thinking. Four books that appeared last year show how hard the transition has been.

Charb was the nom de plume of Stéphane Charbonnier, a journalist and graphic artist born just outside of Paris in 1967. He began working for *Charlie Hebdo* in the 1990s and took over the directorship in 2009. His politics were eclectic. An anarchist libertarian who supported the French Communist Party and antiracism groups, he was also an absolutist on free speech and loathed organized religion in the old Voltairean tradition. He drew caricatures of Catholic bishops, Jewish rabbis, Muslim imams, and, when the need presented itself, of God.

In 2006, the year of the controversy over caricatures of Muhammad that

The righteous anger radiating from it is bracing even when Charb's arguments are weak. The French title, lamentably bowdlerized by his timid American publisher, reads: "Letter to the Con Artists of 'Islamophobia' Who Play into the Hands of Racists." It begins with an address to the reader:

If you think criticizing religion is an expression of racism,

If you think "Islam" is the name of a people...

If you think someone with Muslim parents must also be a Muslim...

If you think popularizing the concept of Islamophobia is the best way to defend Islam,

If you think defending Islam is the best way to defend Muslims...

If you think the Zionists who run the world have paid a stooge to write this book,

Well, happy reading, because this letter is for you.

Charb's is the voice of a classic French republicanism willing to grant everything to individuals as individuals and nothing to groups as groups. He rejects the term "Islamophobia" because those who use it practice the soft racism of seeing individual Muslims (and only Muslims) as representatives of their religious group, and seeing those who pretend to speak for the group as

representatives of individual Muslims. When a veiled woman is insulted, he insists, she must be defended as a citizen and for no other reason. The concept of Islamophobia also minimizes the significance of racism by conflating it with religious affiliation. If a white convert to Islam applies for a job, Charb asks, as does an equally qualified Arab Muslim, who do you think will get it? The only effective and honest way for the left to help French Muslims is to focus exclusively on racial and economic justice and the rights of individuals.

A world where these distinctions were as clear as Charb takes them to be would be an easier one to live in than ours. It is one thing—a very brave and necessary thing—to stand up to apologists for jihadism and the blasphemy police who would censor opinion and artistic expression. It is another to deny the reality of ordinary Muslims' feelings of solidarity, no matter how deep their shame and sense of responsibility in the face of fundamentalism. Charb and the radical French republicans keep restaging the eighteenth- and nineteenth-century battles against the Catholic Church, which was a powerful religious institution wielding authority. There is no such institution in Islam, just a community of communities of believers bound together in a collective relationship with God. One cannot help fellow Muslim citizens—or anyone for that matter—if one does not accept them as they see themselves. Unless, at some level, you are hoping for a miracle of transubstantiation that would transform them into people like yourself. That is political narcissism, which is what the heroic and tragic Charb succumbed to.

A different kind of narcissism is at work in Emmanuel Todd's flimsy book *Who Is Charlie?* Todd first came to public attention in the 1970s when he used demographic data to predict the coming collapse of the Soviet Union. He has never gotten over winning the lottery. And like many lottery winners he has invested his capital foolishly ever since, producing books that announce attention-grabbing, counterintuitive theses that his research cannot possibly support.

*Who Is Charlie?* seeks to shock by reworking some of his recent work on the geography of French politics into an indictment of the millions across the country who marched under the banner *Je Suis Charlie* just days after the terrorist attacks. His great demographic discovery, he thinks, is that the areas of France that have historically been the most religious, inegalitarian, and politically reactionary have now given birth to a secularized "zombie Catholicism" that blocks any meaningful political change and feeds off of hatred of Muslims. This Key To Understanding Everything supposedly reveals that the marches had nothing to do with mourning the victims or defending free speech. It was a saturnalia of zombie Catholicism staged to strike fear in Muslims. This is typical Todd:

Everywhere, Charlie rules, but he does not know where he is going... In January 2015 France succumbed



to an attack of hysteria... a collective reaction unprecedented in our country's history... [The demonstration] aimed first and foremost at a social power, a form of domination... Millions of French people came out onto the streets to define, as a priority of their society, the right to pour scorn on the religion of the weak... To be French meant not that you had the right to blaspheme, but that it was your duty... We must not go too far in absolving people because they were unconscious of what was driving them....

It is certainly true, and psychologically hardly surprisingly, that Muslims were underrepresented at the demonstrations, given that the murders were wrapped up with the offensive caricatures. But what to make of the many thousands of Muslims who were there, as I myself witnessed? They could be seen walking in groups holding aloft the flags of France and of their ancestral homelands, just as some Jews flew the flag of Israel alongside the *tricolore*. These groups marched side by side. Todd, I suppose, would have to include them, too, among the zombies. As the only person in France to see through the false consciousness of everyone else, he must carry a heavy burden. Perhaps that explains the tone of his book, which is like the rant of a disheveled man buttonholing pedestrians at a busy intersection.

The books by Charb and Todd are not really about French Muslims or terrorism. They address the tired, self-referential question: What does it mean to be on the left? This is why they contribute so little to clarifying the present. *France's Situation* by the philosopher Pierre Manent is a very different sort of work. Manent is neither on the left nor easily classifiable on the right, a Catholic with equal debts to the great French liberal Raymond Aron and to the political philosopher Leo Strauss. His independence from conventional categories is what frees him up to ask what is in the French situation a very unconventional question: *Practically speaking*, what entente might be imagined between Islam and the French republic today, taking Islam as it is, and France as it is?

Manent's analysis rests on the distinction, inherited from Montesquieu, between a society's explicit formal legal order (*les lois*) and the implicit mores, habits, and beliefs that bind it together (*les mœurs*). This distinction, he believes, helps us to understand why the integration of Muslims in Europe has proved so difficult. Secular Europeans today think largely in terms of the principle of individual rights and no longer accept the authority of social *mœurs*. They would prefer to forget their continuing debt to Christian cultural assumptions, such as the autonomy of individuals and the moral priority of inner experience.

According to Manent, Muslims, on the other hand, assume the priority of communal morality over individual liberty, an assumption most societies in most times and places have also made throughout history. He therefore finds it understandable that Muslims see modern ideas of freedom as just another set of cultural *mœurs*, and feel

condescended to by Westerners delivering lectures on human rights.

Taking these two incompatible perspectives as given, Manent thinks that the practical challenge European countries face today is to find ways to maintain the independence of law while also recognizing the *mœurs* that Muslims consider legitimate. He proposes what would be for the French a radically new approach to the problem:

Our regime should quite simply *cede*, and openly accept Muslims' *mœurs*. Muslims are our fellow citizens. We didn't set any conditions when they arrived and they haven't infringed any. Having been accepted in equality they have every reason to assume that they were accepted "as they are." ... Our Muslim fellow citizens are sufficiently numerous, sufficiently assured of their rightness, and sufficiently attached to their beliefs and *mœurs* that our polity has been substantially, if not essentially, transformed by their presence. We have no choice but to accept this.

These sentences have shocked people across the political spectrum. But Manent's concrete proposals for adapting to the Muslim presence are modest and most are commonsensical, such as offering food in school cafeterias that conforms to religious practice; setting separate swimming hours for girls and boys in municipal pools (which was once standard practice); and allowing religious garb like the headscarf in schools and public buildings. (He rejects full covering of the female face as an affront to basic sociability, noting that in the West only executioners were ever forced to cover theirs.)<sup>2</sup>

So much for *les mœurs*. Regarding *les lois* Manent insists that rights to free speech remain untouched. He also calls on Muslims to declare their independence from foreign countries that fund mosques and supply imams, and to become more politically active as citizens. This, he reasonably suggests, would send a message to the French nation—and to the entire Muslim world—that communal attachment to Islam is compatible with democratic citizenship.

<sup>2</sup>Manent admits that the subordination of Muslim women poses the most serious challenge to his approach of accepting the *mœurs* of immigrants admitted to France. He maintains that polygamy is explicitly ruled out by law, so must be rejected, but that immigrants' other customs regarding gender, sexuality, or marriage were tacitly accepted when they were welcomed in, and so should be explicitly accepted now. But he doesn't address whether the implicit acceptance of one generation's customs should extend to later generations—for example, whether immigrant parents should have the right to force an arranged marriage on their children or practice genital circumcision.

Had Manent simply wanted to convince readers of the prudence of adaptation, *France's Situation* would have been a powerful pamphlet. Unfortunately it is collated with what seems like a second tract focused on the past, a bitter rumination on the decline of France from a virile republic undergirded with Catholic *mœurs* into a depoliticized, individualistic secular society intent on disappearing into the formless morass of the European Union. Since Islam arose in a Europe that had psychologically "emptied itself of its old nations and religion," according to Manent, Europeans assumed that Muslims would abandon their *mœurs*, too, and gratefully embrace the modern ideology of human rights.



Stéphane Charbonnier, known as Charb, the editor in chief of Charlie Hebdo from 2005 until his death in 2015, at the magazine's office in Paris, September 2012

Nothing of the kind took place because, in Manent's view, Muslims understand something secular Europe doesn't: strong *mœurs* binding a community trump abstract political principles held by unconnected individuals. (This was also the fundamental thesis of Houellebecq's *Submission*.) Had France retained a sense of itself as a sovereign nation-state with a Christian moral legacy and common political purpose, assimilation might have been easier, paradoxically, since then Muslims would have been trading one sense of deep belonging for another. But in a vacuum it was inevitable that the side offering meaning, collective attachment, even global ambition would dominate. That is why "an islamization by default is now the hidden truth of our condition." The scent of *schadenfreude* wafts through these pages, as if Manent is straining not to say openly that contemporary Europe had it coming.

Manent has written some thoughtful books on the rise of modern individualism and the fate of Europe. But *France's Situation* is a very moody and in the end incoherent book. On one page the author is the engaged spectator trying, as Aron did in his wise writings on the Algerian War, to offer

a realistic assessment of the present crisis and a way forward. On the next, he falls into the reactionary rhetoric of cultural war, resistance, reanimation, and national reawakening. The reader comes away thinking that the problems of Muslim integration and jihadism are for Manent, as for Charb and Todd, mainly occasions for settling old scores.

Gilles Kepel, one of the leading experts on French Muslims, and on the Muslim world generally, has called *France's Situation* "the most structured, painful, and paradoxical" book to be written following the January massacres. His own recent book takes a very different and much more fruitful approach. He indulges in no ruminations on the ideal libertarian society or the gestation of zombies or the course of modern history or the closing of the European soul. Kepel wants to know one thing: What developments over the past few decades prepared the way for the terrorist attacks of 2015? His modesty and single-mindedness make *Terror in the Hexagon* the most essential book to read about France today.

Kepel has two virtues as a writer on this subject. The first is that he is so aware of the many factors contributing to the present crisis, having devoted several books to them, that he is immune to treating any one as paramount. He gives equal weight to social and economic conditions in France, religious developments in the wider Muslim world, domestic and international political factors, and even popular culture and technology. He doesn't treat French Muslims as a perfectly homogeneous group, and he is particularly alert to generational differences, which are central to his story.

The second virtue is that he has the sensibility of a historian, not a social scientist or philosopher. Kepel knows that social conditions and *mœurs* alone can never explain political phenomena, that events in real time are what cause them to be acutely felt and then motivate action. His decision to organize *Terror in the Hexagon* as a loose (sometimes too loose) chronicle, focusing largely on developments during the decade between 2005 and the 2015 attacks, was a wise one. Reading it is like watching those time-lapse weather maps on the nightly news that show different cold and warm fronts, high and low pressure systems, coming into contact and producing a storm.

Kepel begins in 1983. In October of that year a nonviolent march took place in Marseilles to protest police intimidation and the killing of an Arab Muslim activist. Afterward the marchers kept on marching, slowly making their way up through the country, finally arriving in Paris where they were greeted by a demonstration of over 100,000 sympathizers. In Kepel's view this March for Equality and Against Racism marked a generational break and the birth of a

Fred Dufour/AFP/Getty Images



new political self-consciousness among French Muslims. This second generation had, unlike their parents, largely been born in France, educated in its schools, and had adopted its language. They seemed on a path to assimilation into the French republican order and became a political force on the left, particularly at the local level. To the extent that anyone appeared to represent French Muslims over the next two decades, they did.

But during those same decades the wider Muslim world was being turned upside down. International jihadism, born in the successful war to drive the Soviet Union out of Afghanistan, established beachheads across the region. Fundamentalist theological movements—the Egyptian Muslim Brotherhood, the South Asian Tablighi Jamaat, Saudi-funded Salafists—were also making inroads within Muslim populations around the globe. That included France, though only specialists like Kepel were tracking their growing influence in increasingly poor Muslim areas. There were a handful of Islamist terrorist attacks in Paris in the mid-1990s, but they were spillover from the civil war in Algeria, not domestic operations. Certainly in the two decades after the march there was little sense of any change in ordinary French Muslims’ attitudes toward France or of the prospect of homegrown terror.

This changed in 2005, the pivotal year in Kepel’s story. That was when riots in poor and heavily Muslim suburbs broke out across the country, bringing the problem of the *banlieues* to public attention and provoking the first state of emergency in continental France since the Algerian war. (The second was declared after the Bataclan killings last year.) The clashes were set off by a seemingly minor incident in Clichy-sur-Bois, just outside of Paris. That October Nicolas Sarkozy, then minister of the interior and preparing a presidential campaign that he hoped would attract National Front voters, visited a largely Muslim suburb nearby and promised to “hose out” the “band of scum” committing crimes.

The next day two young Muslims from Clichy, innocent of any crime, hid in an electrical transformer while fleeing the police and were electrocuted, setting off a riot. A few days later the local police used tear gas outside the local mosque that was full for Friday Ramadan prayers, further inflaming the situation, which could now be portrayed as an attack on Islam itself. Nightly disturbances then rocked suburbs across the country for the next three weeks, leaving nine thousand torched cars and property damage in excess of €200 million.

In Kepel’s view it was these events that crystalized a new consciousness among the third political generation of young French Muslims, who have become susceptible to the allure of fundamentalism in a way previous generations never were. Though in language, education, and pop culture they are highly assimilated, they are disengaged from domestic politics and identify increasingly with the conditions, real and imagined, of Muslims worldwide. A demonstration against the National Front will not bring them into the streets but one in opposition to Israeli bombing of Gaza will. They see themselves less as Muslims of France than as part of

a global religious proletariat suffering from Islamophobia and colonialism.

There has been, in other words, a perceptible change in political sensibility. But for a fraction of this generation something more seemed required and they began to be “re-Islamicized,” as Kepel puts it—though “Islamicized” is more precise since most have no Muslim education and maintain their distance from established institutions. Keeping halal, wearing headscarves, and growing beards have become superficial badges of identity. Theirs is a complex psychology. When young women who wear headscarves are interviewed by the press, it is not uncommon to hear them say that they do so for two, basically incompatible, reasons: that the Koran requires it, and that it is their individual right to do so.

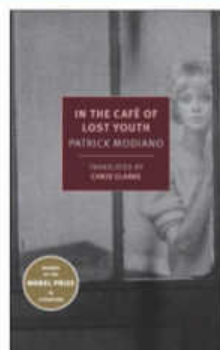
A large chunk of *Terrorism in the Hexagon* documents in detail how international jihadists—aided immeasurably by the Internet (YouTube was also founded in 2005)—began fishing for recruits within this subgroup, and how autonomous domestic cells focused on attacking France began to form. Even more fascinating, though, is Kepel’s analysis of the parallel development of homegrown French Islamism and the nativist radical right in this period. As working-class solidarity declined it was replaced, he suggests, by two very different pictures of the world. Marginalized whites began to see themselves as part of the struggle between the “native” French and “immigrants,” meaning all Muslims. And marginalized Muslims began to accept the fundamentalists’ picture of an eternal struggle between Islam and the infidels. He pursues this comparison throughout the book, noting how over the past decade the Internet nursed the development of both an online right-wing “fachosphere,” expressing nationalist anger, and a mirror-image Muslim “jihadosphere,” websites that are astonishingly similar, down to the expressions of vicious hatred of Jews.

Gilles Kepel’s important book is the best account we have of all the factors and events that helped create the current situation. It is also the most recently published, having been rushed out just after the Bataclan attacks of last November. Still, it necessarily leaves out two new factors: the public’s heightened fear of new attacks and the government’s efforts to relieve that fear. As I reported here recently, these include a state of emergency that for now gives the police and courts extraordinary powers to operate without warrants and other legal formalities.<sup>3</sup> And it may also include a constitutional change that would allow the government to strip the citizenship of convicted terrorists, a highly controversial move with potentially explosive repercussions. Muslim commentators are already complaining that such a policy could provide a propaganda coup to radical Islamists trying to persuade young people that France is not their home and must be treated as enemy territory. The great value of Kepel’s book is that it acquaints us with France’s political weather map and helps us to understand why more storms are on the way. □

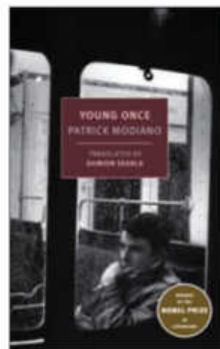
—February 25, 2016;  
this is the second of two articles.

<sup>3</sup>See my “France: Is There a Way Out?,” *The New York Review*, March 10, 2016.

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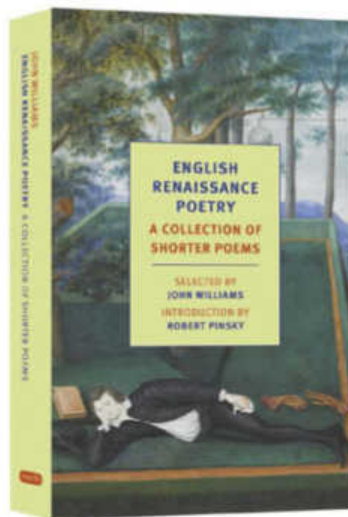
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# The Frank Gehry Story

Ingrid D. Rowland

**Building Art:**  
**The Life and Work of Frank Gehry**  
by Paul Goldberger.  
Knopf, 513 pp., \$35.00

**Frank Gehry**  
an exhibition at the Los Angeles  
County Museum of Art,  
September 13, 2015–March 20, 2016.  
Catalog of the exhibition  
edited by Aurélien Lemonier  
and Frédéric Migayrou.  
Centre Pompidou/LACMA/Prestel,  
256 pp., \$65.00

Artists are a biographer's nightmare. The most important events in their lives are usually the ones that take place quietly, slowly, in the repetitive actions of work, or within the sanctum of their skulls. Even Caravaggio, an artist with a penchant for swashbuckling exploits, spent as much time putting brush to canvas as he did making trouble, and his canvases finally tell us more about the man and his art than the police blotters recording his conflicts with the law.

The life of the architect Frank Gehry poses similar challenges. The real question his biographer needs to answer is the impossible one: how a sixtyish architect from Los Angeles ever came to imagine, much less build, the coppery metal carapace of the Guggenheim Museum in the heart of Basque country, in the declining port city of Bilbao. Before that 1997 project, and the subsequent plan to build a new concert hall in Los Angeles, Gehry was best known for constructing cheap buildings of cheap materials in the funky geometric shapes that began to punctuate the cityscape of Los Angeles in the disco era, one of them his own house on a placid residential street in Santa Monica.

The answer to these mysteries of creation has as much to do with what Gehry saw as with how he lived (he is a Toronto-born transplant to the West Coast who has had two wives and four children), or what kind of a person he might have been. In the case of Bilbao, he saw the dramatic promise of the site itself, a forested gorge that suddenly widens into an estuary making its serpentine way to the sea. Nineteenth-century Bilbao was laid out in regular blocks on the flood plain left by this bend in the Nervión River, to serve a burgeoning steel industry and a major port. Across the water, the maze of medieval Bilbao, a stop on the pilgrim road to Santiago de Compostela, huddled on a smaller sandbar beneath the limestone cliffs. Photographs of Gehry's Guggenheim building rarely take in these natural surroundings, focusing instead on the tawny curves of the structure, clad in a combination of limestone and titanium panels. But Gehry himself was evidently looking at the view. The museum's complex profile echoes the complexity of the hills around it, while its reflective façade takes on the colors of Bilbao's perpetually changing sky.

But where did he get the idea for the object itself, for a metal-clad building composed of swelling, sweeping curvilinear planes? In part, certainly, from the great concrete sails of the Sydney Opera House, designed by Jørn Utzon, the building whose international impact

the Basque authorities hoped to emulate by commissioning the Guggenheim project in the first place. But in Bilbao, along with the phantasmagoria of the landscape, there are also three exquisite little paintings by El Greco in the Fine Arts Museum, each of them presenting cloud constructions as abstract and powerfully architectonic as anything Gehry has conceived, and inspired, like the Guggenheim building, by the incomparable forms of nature, especially by those temperamental Spanish skies.

El Greco understood the structural power of his abstract shapes no less

a story he heard from Gehry about the architect's new friend Lillian Hellman:

He invited her to a large dinner party he and Berta [Gehry's wife] were giving at the house. Hellman arrived and asked where the powder room was. She disappeared, emerged just before dinner was served, and sat down at the table. After five minutes she got up, said she was not feeling well, and departed.

Not long afterward Frank and Hellman encountered each other

embossed image of his first sketch for Bilbao, to the book's insistence, punctual as a drumbeat, that "Frank" is the most famous architect of our time:

He was arguably the most famous architect in the world....

He had designed the most talked-about house in Los Angeles, if not in the entire country, and he had become, by default if not by design, the central figure around whom the growing community of cutting-edge architects in Los Angeles revolved. But how was he



*The Guggenheim Museum in Bilbao, Spain, designed by architect Frank Gehry. At left are the Nervión River and La Salve Bridge, adorned with Daniel Buren's artwork Red Arches (2007), commissioned for the museum's tenth anniversary.*

profoundly than Gehry, for he was an architect himself, as well as a painter and sculptor. His cloud constructions have made the same imaginative leap that Gehry's built architecture began to make with the design of the Guggenheim Museum in Bilbao and of the Walt Disney Concert Hall in Los Angeles: a spring from the basics of post-and-lintel carpentry to building with abstract planes, each one unique, massed together to create spaces that are never hollow; instead, energy seems to funnel through them like an invisible liquid. On occasion, as in El Greco's *Burial of Count Orgaz* (1586), a tiny human soul gets caught up in the windstorm, for the energy is divine, rushing eagerly back to its source.

If El Greco created painted cloudscapes as portals to heaven, Gehry, with the help of modern computer technology (and of the people who could handle those computers on his behalf), transformed his own spatial visions into matter and brought them down to earth. The effect can be exhilarating, but it can also be distinctly claustrophobic. In his new biography, *Building Art*, Paul Goldberger repeats

at another party. Hellman, Frank remembered, leaned over to him and said, "You're mad at me—you haven't called me."

"No," Frank said. "The last time I saw you was the night you weren't feeling well and you left my house."

She was actually feeling fine that night, Hellman told him. "I hated it," she said. "That's why I left—because I hated your house."

The house in question is a pink Dutch-style bungalow surrounded with chain-link fencing, corrugated tin, and glassed-in lean-tos at crazy angles. Because of their odd orientations, the glassed-in sections call attention to the unusual forms of their enclosure rather than to their views to the outside. The atrium of the Guggenheim Museum in Bilbao repeats some of the same themes, including the crazy angles and the glassed-in bundles of upright supports, and despite its colossal scale it, too, reads from the inside as a hermetically sealed space, a greenhouse rather than a dome of heaven.

Goldberger's biography has its own hermetic feel as well, from its dust jacket, showing a diminutive black-clad Gehry caged behind the silver-

going to stay fresh, and stay ahead of the next generation?...

There could be no doubt now of his stature: not just an international figure, he was looking more and more like the most important architect anywhere....

The [Bilbao] organization had not yet even made a decision to build a new building, and one of the most famous architects in the world had all but proposed himself for the job.

As a biographer, Goldberger has made two strategic decisions. Firstly, he has chosen to stick closely to Gehry's own point of view, basing his narrative on an extended series of interviews. Secondly, he decided not to spend any protracted time in Los Angeles while he was writing the book, but rather to commute back and forth from the East Coast.

As a result, we, poor readers, have no room to move. We are trapped within the contradictions of Gehry's own unresolved personality, in which his inveterate self-image as "a do-gooder, liberal to the core" does ceaseless battle with a career conspicuously devoted to the service of wealth and celebrity. We hear again and again what a great



friend Frank is to everyone he meets, but cannot help noting that his road to Olympus is littered with the bodies of associates, friends, and projects that “didn’t work out.”

In short, *Building Art* has sacrificed critical distance, either because its author is completely in awe of his subject, or in order to keep from offending that subject’s touchy sensibilities. For it quickly emerges that if we do not love everything that Frank has ever designed with an unconditional love, we shall hurt his feelings and incur his wife’s implacable hatred. We also begin to sense, fairly early on, that it is not really our place as users of architecture to judge the work of architects. Goldberger and his subject both

in a while, however, a group of people do something special. Very few, but God, leave us alone. We are dedicated to our work.... I work with clients who respect the art of architecture. Therefore, please don’t ask questions as stupid as that one.”

Goldberger declares that:

It was a trivial incident, funny more than scandalous, and mainly a reminder that Frank’s celebrity had reached a point where his every gesture would be noticed, and sometimes blown out of proportion. Lost in the discussion were the questions that he was trying, through his exhaustion, to communicate.

from the very Frank himself—to the city and its people. Goldberger may be an eminent critic of architecture, but he is also an inveterate East Coaster who begins his biography with the architect’s eighty-second birthday party (and all-but-apotheosis) atop a needle skyscraper in Manhattan, the one the Gehry studio continues to call “8 Spruce Street” but that its developer markets to customers as “New York by Gehry.” Brad Pitt may have given his Olympian chrism to this glittering event, and certainly a part, a very big part, of Gehry craves this high life, but surely there is much more to learn about the man and his career in a smallish exhibition just off the LACMA retrospective (in a Renzo Piano building, no less!): a show of Japanese scrolls installed by Gehry to honor his very first

Gehry’s viewpoint) is willing to credit.

Pereira won an Oscar in 1943 for Special Effects (his brother Hal was an art director and production designer for the movies) and appeared on the cover of the September 6, 1963, issue of *Time* under the banner “Vistas for the Future” in connection with his plans for developing the vast Irvine Ranch into a new city in Orange County, California, a master plan that included a new branch of the University of California.

Pereira’s work combined, therefore, the imaginative freedom of Hollywood with the practicality of construction. He experimented boldly with the possibilities of cast concrete, creating buildings that consumed a minimum of energy at a time when energy seemed to be in infinite supply. Pereira’s most radical designs include fanciful buildings like the Transamerica Pyramid in San Francisco, the spidery Theme Building of Los Angeles International Airport, and the Ziggurat (now the Chet Holifield Federal Building) in the Southern California settlement of Laguna Niguel. But he also built a host of more low-key modernist structures that fit more sociably into their surroundings, including the central campus of the University of California, Irvine, now fifty years old.

One one hand, Goldberger presents William Pereira as the architect who “would in some ways haunt Frank for years to come,...an architect remembered for the occasional bold shapes he had managed somehow to persuade clients to build.” Yet he liquidates Pereira’s LACMA complex as “somewhat vapid,” and the Dorothy Chandler Pavillion at the Los Angeles Music Center as “banal.” How, in a city where “banal” might describe anything from In-N-Out Burger to a glass-fronted office box, do we connect this building with Pereira the inventor of fanciful geometries? In Goldberger’s paraphrase, Gehry presents Pereira as a negative example for future practice, but the account sounds more like an unwitting self-portrait:

Left to his own devices, Frank realized, Pereira was driven more by a desire to make memorable shapes than by a clear understanding of his clients’ needs.... Frank began to think of Pereira...as an architect who mainly invented shapes out of his imagination and then tried to persuade his clients to accept them.

In 2005, the University of California, Irvine, decided (not without controversy) to demolish its nineteen-year-old Gehry-designed lecture hall, which derived from his period of cheap construction materials and had never worked very well. Pereira’s buildings on the same campus are still standing, and his original overall design is still in place.\* In the ever-negotiated field of architecture, to architects’ eternal frustration, we users not only have a right

\*See Sara Lin, “Campus Is Willing to Live Without Gehry,” *Los Angeles Times*, September 1, 2005. Pereira’s legacy may be in danger now; see Alan Hess, “Erasing Pereira,” *Orange Coast*, June 30, 2014. Pereira’s Irvine office, Urbanus Square, was torn down in the 1990s to realign and extend a local road to link with the San Joaquin Hills toll road.



*The Walt Disney Concert Hall in Los Angeles, designed by Frank Gehry*

assert, implicitly and explicitly, that if we do not adore Frank Gehry and his architecture with all our heart and all our soul and all our might, we are as blind and stupid as Samson among the Philistines, as querulous as Thersites among the heroes of Troy.

The most egregious expression of this attitude comes late in the book, when a jet-lagged Gehry, already in his eighties, must make his way to a Spanish press conference from an interrupted nap:

The first reporter asked him what his response was to charges that his buildings were more in the line of dazzling spectacles than functional architecture. This time, he was too tired to be polite. He extended his middle finger. There was an awkward silence, and then another reporter asked whether “emblematic” buildings would continue to be a feature of cities. Frank replied with only slightly more patience than he had shown to the previous questioner. “In this world we are living in, 98 per cent of everything that is built and constructed today is pure shit,” he said. “There’s no sense of design, no respect for humanity or for anything else. Once

But the incident was neither trivial, nor funny, nor the product of Frank’s celebrity. The elderly, famous architect snapped, with shocking rudeness, because the reporters’ questions, far from being stupid, pierced through to the essence of his imperfect art.

Among the arts, architecture is the most compromised, the most hemmed-in of them all, in thrall to human communities, to the law of gravity, and to the Second Law of Thermodynamics, which proclaims that all things, including buildings, shall inevitably fall apart. Like the people they serve, architects and their works are creatures of time, place, and climate. In the specific case of Frank Gehry, space, time, and climate all converged in Los Angeles, that seismic zone of sun, smog, and fantasy, a place where a building can be not only four walls, but also a ziggurat, a dinosaur, a doughnut, a stack of 45 rpm records, a hot dog, or a big brown hat.

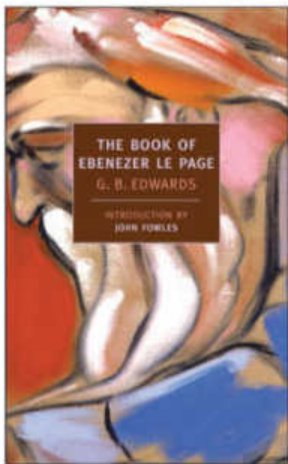
More than any other force, Los Angeles is the furnace that forged Frank Gehry’s brain, and thus the current Gehry retrospective at the Los Angeles County Museum of Art (LACMA) starts with an open letter of thanks—

commission for the museum in distant 1965.

That first commission was also the design for an exhibition of Japanese scrolls, a reminder that Los Angeles may look like a backwater to Manhattanites, but on its own unstable ground it has been for decades the gateway to Asia and, through Asia, to the future. In the case of Frank Gehry, the buildings that will continue to distinguish his career are not to be found in New York. There will always be two: a museum in what had been an out-of-the-way Spanish port and the Los Angeles concert hall in the epicenter of La-La Land.

The original County Museum buildings, like the Los Angeles Music Center that acts as a foil to Disney Hall, were designed by William Pereira (Chicago 1909–Los Angeles 1985), the visionary architect who, among many other accomplishments, also taught at the University of Southern California. There he met a talented young man named Frank Goldberg and eventually served as his adviser. Later, when Frank Goldberg had changed his name to Frank Gehry, Pereira hired him. The influence of this important midcentury figure goes far beyond what either Gehry or Goldberger (confined as he is to





"It reads like Beethoven's Ninth... Coated with sea salt, its crannies spilling wildflowers, Edwards's book still roars like some huge shell held, cutting, against your ear."  
—Allan Gurganus, *The Atlantic*

This novel is a beautifully detailed chronicle of a life, but it is equally an oblique reckoning with the traumas of the twentieth century. Ebenezer recalls both the men lost to the Great War and the German Occupation of Guernsey during World War II, and looks with despair at the encroachments of commerce and tourism on his beloved island.

## THE BOOK OF EBENEZER LE PAGE

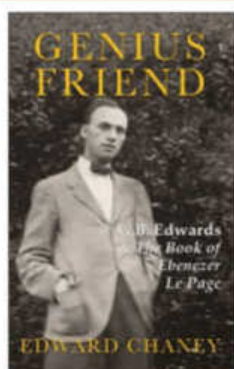
G. B. Edwards

Introduction by John Fowles  
Paperback and e-book

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### A new biography of G.B. Edwards



Since its publication in 1981, *The Book of Ebenezer Le Page* has been recognized as the greatest work of literature by a native Guernseyman, and indeed one of the most important novels of the twentieth century.

Edward Chaney, who befriended its reclusive author, Gerald Edwards, encouraged him to finish the novel and had it published after he bequeathed him the manuscript. The first part of the biography reconstructs Edwards's Guernsey origins and his status as the "genius friend" of a group of writers who contributed to Middleton Murry's *Adelphi* in the 1920s, and then documents his descent into obscurity in the 1940s. The second part relates how Chaney met Edwards in 1972 and how the novel came to be published.

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to judge the quality of a building. We have the only right.

Pereira, moreover, provides the most cogent high-culture model for what Gehry eventually created in Bilbao, which was not, as that annoying Spanish reporter understood perfectly, an art museum. It was another time-honored Los Angeles building type, the roadside attraction. This distinction becomes clear to anyone who visits Bilbao's "other" art museum, the Fine Arts Museum enlarged in the 1990s by Luis Uriarte, set in the center of the nineteenth-century city inside a verdant public park.

Both structures have ostensibly been designed to house the work of the Basque sculptor Eduardo Chillida, but there is no comparison between the light-filled venue that Luis Uriarte provides for the city museum and the dim caverns where Chillida's work resides in Gehry's Guggenheim. In the video connected with his work for the Guggenheim Bilbao, sculptor Richard Serra claims that his massive cast steel sculptures are the only way to keep the vast hall that houses them from looking like a factory floor. He and Gehry, once friends, now snipe at each other mercilessly, but in this case Serra has a point. The shell and its contents by Serra work as art together, and only together. The café in the city museum is a genuine meeting point for the people of Bilbao, looking onto glorious greenery. The café at the Guggenheim looks at the underside of the billboard-like sign announcing its presence and the posterior of Jeff Koons's topiary colossus, *Puppy*.

With the help of some exceptionally clever city planners, the Guggenheim has put Bilbao back on the map, gracefully, engagingly, but in the same beckoning vein as the crudely monumental golfer who stood watch for several decades over the San Diego Freeway (he now holds an automobile muffler). The most curious part of the Guggenheim Bilbao, the freestanding tower that stands athwart the suspension bridge that brings the BI-625 highway into the city center, looks from the inside like a trio of billboards, with the added lure that pedestrians can climb up inside them.

It was Gehry's divine flash of intuition to choose the Guggenheim's riverside site, an abandoned factory, and to embrace the challenge of the bridge. Los Angeles supplied him with the know-how to make the intersection of road and building work. He had only to think how the exaggerated Florentine design of the 1925 Patriotic Hall of Los Angeles showed to such perfect advantage from the freeway, or of the Assyrian-revival tire factory transformed in latter days into the Citadel Outlets. It was the Basque government's brilliance to call the nearest tram stop "Guggenheim" while placing it next to another feature entirely: the Pedro Arrupe footbridge that connects the city center to the university. Bilbao has worked for everybody, but most of all for the Bilbainos. Gehry has been instrumental in the city's transformation but he was hardly alone.

Gehry's retrospective exhibition at LACMA, like his biography, is full of contradictions. He claims that his early house projects are inspired by the paintings of Giorgio Morandi, those obsessive assemblages of bottles that

seem to vibrate in space, but in fact the drawings look as if they have been equally inspired by the buildings of Aldo Rossi, inspired in his own right by the paintings Giorgio Morandi. It is easy for Gehry to credit artists. He has more trouble with architects.

Can he really have designed his loopy, double-lobed "Fred and Ginger" apartment house in Prague without having looked at Friedensreich Hundertwasser's even loopier public housing project, the Hundertwasserhaus, in Vienna? His building at 8 Spruce Street in Manhattan may credit the Baroque sculptor Gian Lorenzo Bernini for its pleated surface, but its abrupt sideways

Frank Gehry, not to compare it with a documentary of Graves made late in his life, when paralysis gave him a new insight into designing houses for handicapped veterans and autistic children. In one scene, Pollack shows the goat-teed painter Julian Schnabel (one of the Guggenheim collection's anointed) in a terrycloth bathrobe and sunglasses, stretched out on a chaise longue, brandy snifter in his right hand, cigar in his left, looking for all the world like a hairy Olympian sipping his ambrosia. And then there was the autistic boy in the Graves documentary who simply said, "I never knew that anyone would design something for me."



Frank Gehry's residential tower at 8 Spruce Street in Manhattan, just south of the Brooklyn Bridge, with the Woolworth Building at right

shift is a move Rem Koolhaas already tried in Rotterdam.

There is a Michael Graves feel to some of Gehry's work for Loyola Law School (omitted from the retrospective, mentioned in *Building Art*) and in some of his early houses. And it is gratifying to read that in 2000 he wrote a letter recommending Graves for the Gold Medal of the American Institute of Architects, the award he himself had won in 1999 (Graves won in 2001). But the Frank Gehry teakettle on sale at his retrospective costs \$500, and with its massive mahogany handle it is hard to see using it for anything but decoration. Michael Graves, on the other hand, sold his teakettle design through Target as well as the upscale Italian designer Alessi (who also produced Gehry's kettle) to make it available to everyone. Its design aimed to boil water as quickly as possible.

It is also difficult, when watching Sydney Pollack's 2006 film *Sketches of*

When it first opened, Gehry's Disney Hall, with its stainless steel cladding, was so bright that the flashy exterior blinded the neighbors. It had to be darkened. Buildings that scream for attention can be fun, provocative, even inspirational, but they are not the stuff that most architecture can be made of. Michael Graves understood that in his wise old age. The young Chilean architect Alejandro Aravena understands it now, as the Pritzker Prize committee recognized in its 2016 award, saying that he perceives "the importance of poetry and the power of architecture to communicate on many levels." If the poetry and the power of architecture do not communicate on many levels, from Olympus down to the humblest among us, they do not communicate at all. Which is why Frank Gehry, raw, tired, angry, and eighty, shot up his middle finger when confronted with the truth, and why he looks so crabby on the cover of his hagiography. □

Piotr Redlinski/The New York Times/Redux



# Napoleon: The Unsolved Enigma

Steven England

## Napoleon: A Life

by Andrew Roberts.  
Viking, 926 pp., \$45.00

## Napoleon: Soldier of Destiny

by Michael Broers.  
Pegasus, 585 pp., \$35.00

## Bonaparte: 1769–1802

by Patrice Gueniffey,  
translated from the French  
by Steven Rendall.  
Belknap Press/Harvard University  
Press, 1,008 pp., \$39.95

Andrew Roberts recounts yet another tale about Napoleon. A month after Waterloo, the British prime minister, Lord Liverpool, wrote to his foreign secretary, Lord Castlereagh, in Vienna, to suggest that St. Helena was suitably distant and isolated as a place of exile for “General Bonaparte,” such that “all intrigue would be impossible; and, being so far from the European world, he would soon be forgotten.” Yes, nobody will notice him—well, except maybe Goethe, who thought this life “the stride of a demigod.”

Lately, the *monstre sacré* can be seen and heard all over. Since he died there have been thousands of books about him, but for reasons mainly pertaining to the *déclassement* of the genre of biography in the academy, years passed with no serious biographies of the first French emperor appearing. Then, suddenly, in the last decade, we have half a dozen or more. Still, as Patrice Gueniffey notes in the introduction to his book, this attention should not astonish us, rather “we should be astonished by this astonishment.”

The books under review (and their number could easily be doubled or trebled after the Waterloo bicentennial year) range from good to very good to excellent, although their approaches—all legitimate and established—are quite different. They do not give definitive answers to the intricacies of psychological and historical causality. What they contribute is original thinking about Napoleon and the clearing away of many myths about him. They represent real advances in biographies of this man. Each is the product of strong and informed authorial reasoning and emotion, and the effect of reading them is to renew our sense of awe at the inexhaustible fount of meaning that pours out of this particular life story, so uniquely coincident with, and cumulative of, world history. The cumulative effect, which their authors perhaps did not anticipate or desire, is to increase significantly a reader’s ability and wish to consider quite neutrally the endlessly controversial, fascinating figure whom Chateaubriand called “the mightiest breath of life that ever animated human clay.”

Still, if Bonaparte the general, the emperor, and the politician have been portrayed more deeply and accurately, Napoleon the man remains the enigma he has always been. And so what these books do best is to reveal to the reader something about their authors. That’s far from nothing when you have interesting ones, as we do.



“The Coronation of Napoleon”; detail of a painting by Jacques-Louis David, 1806–1807

Andrew Roberts, a respected writer on military history, has produced a highly enthusiastic and engaging telling of the Napoleonic story in one volume. The book has many fresh anecdotes and the occasional finely turned phrase, and is one of the most readable single-volume biographies, and certainly the most up-to-date. It amounts to a *tableau vivant* of great episodes in the life of the great man, especially the battles, and is perfect for the reader who wants a good look at the whole man without having to get lost in the complexities of explaining his infinity of moving parts.

Roberts’s book, an exuberant account by a self-described Tory, titled *Napoleon the Great* in the UK, must have surprised, not to say shocked, many British readers for its no-holds-barred enthusiasm for its subject. It is to Roberts’s credit that he is quite outspoken about his change of heart.

For his book is a full embrace of Napoleon, let there be no doubt.\* He has visited fifty-three of Napoleon’s sixty battlefields, lists some seven hundred books from which he’s quoted, and

\*Pieter Geyl, whose study *Napoleon: For and Against* (Yale University Press, 1949) is rightly considered to be a classic in the field of historiography, notes that “there will always be Frenchmen who subordinate social and spiritual needs to power and glory.” Roberts shows us that Englishmen are hardly immune. Additional footnotes appear in the Web version of this review at [www.nybooks.com](http://www.nybooks.com).

come away a counsel for the defense. He takes the First Consul’s side in his famous dressing down in 1803 of the British ambassador, Lord Whitworth, accusing the British of arming against him; he makes it clear that Bonaparte was no warmonger in the breakdown of the Treaty of Amiens with England in 1802 and the return of war. When the First Consul assumes the imperial crown, this is considered as innocent an act as Queen Victoria’s becoming empress of India in 1876. He reminds us that in the year that Napoleon invaded Spain, Tsar Alexander I seized Finland from Sweden in no less illegitimate an act, just as he points out that Wellington, too, used scorched-earth policies, but only Napoleon gets castigated for it.

About Napoleon’s execution of the Duc d’Enghien—said at the time to have been “worse than a crime; it was a blunder”—Roberts adds caustically, “everyone could see that, except the First Consul,” i.e., Napoleon himself. But this, he writes, does not prove that Napoleon was “a vengeful ruler”; the murder was “an utterly ruthless, if misjudged, act of self-defence.” When we keep in mind that serious books still come out comparing Napoleon to Hitler, Roberts shows that it is possible to have a very different reaction.

He admonishes us that “an historian who doesn’t visit battlefields is akin to a detective who doesn’t bother to visit the scene of the crime”—the implication being that the modern sleuth can pore over the familiar vistas of the vast killings of two centuries ago, and find

new clues of interest. In the case of Napoleon’s most famous defeat, however, this does not turn out to be the case. Roberts gives us a lively account of Waterloo, but to come up with a new source or a new interpretation for it is a matter of considerably more difficulty than visiting the terrain.

Waterloo is clearly sacred ground for Andrew Roberts. I can think of no other serious writer who would deem that the strange and dramatic episode of the Hundred Days—when the French nation challenged both the world’s and posterity’s credulity by reembracing the returned Napoleon and his suicidal mission—could be adequately summarized under the rubric of “Waterloo.” Yet this is what Roberts has chosen to do, so we turn eagerly to these pages.

There exists, as yet, no definitive account of this, the shortest campaign in Napoleonic military annals; we have, rather, mainly “British” or “French” recountings of it. Roberts’s is a fairly standard version of the former, better written than most, but surprisingly unoriginal and diminished by a fair number of errors or half-truths. For example, he sets the number of Allied infantry squares facing the French cavalry onslaught at thirteen, when in fact they were nearly twice that number. (He probably overlooked the equal number of squares behind the front line.) In his book, the “almost not,” or close-call, quality of this battle does not get the emphasis it should have; nor does the absolutely decisive part the Prussian army played in the late-hour victory.

Though Roberts’s book runs to nine hundred-plus pages, it is far from being the definitive biography of its subject (as if there could be such a thing), even if it were not marred with mistakes. (Strasbourg is not Salzburg; Arcola is not named at the base of Napoleon’s tomb; in 1812 the province of Illyria was not independent, as Roberts’s map shows, but French, etc.) This book offers no brilliant interpretations or a convincing new “feel” of the man, but it does wonderfully show how profound was Napoleon’s effect on an unlikely admirer.

Michael Broers is an Oxford don who has written many books and articles on the First French Empire; they arguably make him the best—certainly the most original—scholar in this field writing in English. His command of the sources in the various countries of the empire is unrivaled, as is his willingness to take provocative stands. *Napoleon: Soldier of Destiny* is the first of two volumes; it takes the story from Napoleon’s birth in 1769 to the eve of his greatest victory, at Austerlitz in 1805 when he defeated a larger army of Austrian and Russian troops.

So far Broers succeeds admirably, and he does so in part by trawling reflectively through the twelve volumes of the new *Correspondance Générale* of Napoleon published by the Fondation Napoléon in Paris over the past decade (a stunning scholarly achievement). He is pointedly acute in finding the amoral

Musée du Louvre, Paris/Erich Lessing/Art Resource



pragmatist behind the thousands of pages of mainly “business” letters.

Germaine de Staël once wrote as true and appalling a statement as has ever been written of Napoleon: “His intelligence made him do what conscience would have dictated to others.” Broers understands the implications of that observation. He is impressed by the Corsican’s meteoric rise and his accomplishments on assuming power, but he strongly disapproves of the general’s previous actions in Italy (1796–1797) and Egypt (1798–1799). Broers grasps well the almost unique ambivalence of the man, both at the time and in posterity.

He analyzes the First Consul’s political success with a brace of French terms: *ralliement*—rallying naysayers (whether they are Jacobins or counter-revolutionaries) to his side—and *amalgame*—blending the old order with some of the institutions of the French Revolution. And he fully understands that at times, as in Italy in 1797, the collapse of *amalgame* (e.g., the unworkability of foisting the Jacobin constitution on the Cisalpine Republic) did not necessarily doom any hope of *ralliement*, and Napoleon’s cynical sense in these circumstances was to separate the two. Broers sums up the situation as it stood around 1800: the First Consul “had survived admirably as Octavian. Now he could begin, carefully, to be Augustus.”

One of the more original analyses in a highly personal book is Broers’s take on the return of war in 1803, so soon after the peace of Amiens in 1802. It is common among English-language historians to ascribe most of the blame to Napoleon. As Broers neatly puts it, “for most historians he was [the war’s] cause, and some go further to claim that he caused it, which is not quite the same thing.” But he sees the gathering Third Coalition, led by Austria, as being more aggressive than France. France, no doubt, had a “ruthless determination to hold on to what he had gained... up to that point,” but Austrian ambitions to take over Bavaria—an independent land allied with the French—were genuinely expansionist. Broers sees no imperialist ideology galvanizing the French, only “the realpolitik of survival.” “Napoleon,” he notes, “was not yet the insatiable conqueror he may later have become.” In any case, Austria struck the first blow, Napoleon the last.

Despite such points, Napoleon in this portrait comes off as a punitive Diocletian as much as a statesmanly Augustus. Notwithstanding his appreciation of Bonaparte’s will, Broers finally sees him as a gifted but narcissistic child of circumstance, his rise due to the magnitude of the crisis at hand more than to his qualities. Bonaparte, he writes, had absorbed elitist reformism from an early age, but was lacking in human sensitivity. Broers calls him a “‘Figaro,’ not just bent on overthrowing the old gods, but upstaging them,” but the analogy works poorly, for in Broers’s own portrait, Napoleon is no rebellious valet but an implacable servant of the cold rationality and stringent self-discipline of the highly civilized French elites.

The remorselessness with which the First Consul carried out his social engineering on the lives of peasants, priests, and workers, particularly in Mediterranean or Caribbean climes, arouses Broers’s anger. He describes French domination of much of Europe

as if it were simply subjugation, without noting that if you were a Jew, a Protestant, a freethinker, or an entrepreneur, there was a good chance you were glad to see the French arrive.

This author’s championship of peasants and priests leads him to the most eccentric interpretation of his book. The Concordat with the Vatican of 1801 permitted Catholicism to return to French public life after the Revolution had banished it. The measure was strongly opposed by many of the enlightened elites whom Bonaparte represented but who wanted no return to popery. The First Consul, however, firmly believed there could be no social peace without such a measure. His courageous act of conciliation has been widely approved by historians, French and non-French alike.

Not by Broers. The Concordat, he believes, was a misbegotten attempt to divest the masses of Catholic peasants throughout French-governed Europe of their traditional beliefs, in favor of an ascetic, progressive, state-driven version of Catholicism that had only contemptuous intolerance for popular piety. The initiative, in his view, proved to be a disaster from start to finish. Broers argues angrily that Napoleon’s defense of secular society from what he wrongly regarded as “creeping theocracy” was virtually as ferocious as that of his defense of French territory from any foreign enemy.

This seems overstated. The Concordat may have placed the church in “a bright gilded cage,” but Broers should consider the long-term consequence of permitting the pope to dismiss the entire episcopate of the French ancien régime, as he did with Napoleon’s encouragement. Such power was precisely what the nineteenth-century Vatican would use to create a Rome-centered Catholicism. Then, too, Broers overlooks the *coup de maître* by which the Concordat, in getting Rome to ratify the Revolution’s expropriation of church land when it was auctioned off to the highest bidder, won Napoleon the devotion of large parts of the population who profited one way or another from acquiring church lands. In short, while it is certainly true that Napoleon insisted upon Erastian—state-dominated—religion, Catholicism still had an important and valued place in his France.

By the end of his book, Broers has portrayed practically all the actors on the public stage as deeply immoral; Napoleon, he cheerfully concedes, was simply better at it than the rest. What makes Broers’s book—as so much of his other work—original, even breathtaking, is precisely the qualities that open it to strong attack: the chances it takes on behalf of the author’s passionate judgments.

If the book by Roberts may be characterized as an effervescent *récit de voyage* and the one by Broers as a righteous bill of indictment, then the study by the French academic Patrice Gueniffey could be compared to the work of a very high-end jeweler—Peter

Carl Fabergé, perhaps. Where Broers has the First Consul’s path to becoming emperor (in 1804) “not so much opaque, as oblique,” a test in broken-field running, Gueniffey depicts it in neat, careful, and virtually inevitable steps. The Anglo-Irishman Broers is indignant at the treatment accorded Italian peasants (among others), but the Frenchman has little interest in such consequences and much admiration for Napoleon’s aims, notably: Stop the Revolution!

Gueniffey’s young Napoleon resembles the one portrayed by Jacques Bainville, the reactionary *Action française* writer of the 1920s and 1930s, who is cited frequently by Gueniffey. This is a young “Napoleone” (he did not frenchify the name until 1797) who was



‘St. Helena, the Last Stage’; portrait of Napoleon by James Sant, 1901

neither a foreigner nor a France-hater, but was won over early on by the power of the mainland French schools he attended to integrate a young Corsican. They also persuaded him to respect the *grande noblesse d’épée*. Gueniffey finds in Napoleon none of the Figaro-like hatred of nobles evoked by Broers—*au contraire*: the First Consul was well aware that Talleyrand, a scion of one of France’s oldest and most prestigious families, had a long past with many vulnerabilities, but he chose him for foreign minister anyway, because the name “erased everything.”

Only in his early twenties did Napoleon invent a Corsica of his imagination and serve it patriotically for a time. But even then, “he saw the country of his youth almost with a foreigner’s eyes,” for he knew and remembered little about it, including its language. This, to me, is more convincing than any other account of Napoleon’s involvement with Corsica.

Gueniffey has the luxury of space: he uses 325,000 words to tell Napoleon’s story down to the First Consul’s nomination for life (1802), while Broers makes do with two thirds of that number to reach the same point. And nowhere does he make better use of his space than in his account of Napoleon’s youth and young manhood, where his interpretation is superb. In a brilliantly layered analysis, he sees the early death of Napoleon’s father (1785), together with the young man’s doubts about

his own descent, as imbuing him with a sense of hyperfreedom, of having no ancestors, “of being the inventor of his own history... [who] tolerated no subjection except to this ‘fortune’ that he so often mentioned.” Gueniffey brings to mind Machiavelli’s audacious prince taming the world: “He yielded to a power that confirmed him in the certitude of his own sovereignty.” For Gueniffey, the young hero’s capacity to be “the architect of his own destiny,” his steadfast belief that his fate could not resist his will, enabled him so completely to fill “this epoch with his name that he and his time can hardly exist separately.”

The greatness of Gueniffey’s book, like the excellence of Broers’s, lies in its limitations. In Broers, the paradox resides in the strong and original, but occasionally eccentric, moral judgments he is willing to make. Compared to Broers’s expansive interests in all of Napoleonic Europe, Gueniffey’s book submerges author, reader, and subject in a concerted, definitively French vision.

Gueniffey’s interpretation of Bonaparte contains a strong political perspective—an anti-revolutionary one. It is a perspective Gueniffey took over in part from his late mentor, François Furet, with whom he is in constant dialogue throughout the text. Thus, if Broers sees the Concordat of 1801 with the Roman Catholic Church as an arrogant denial of popular devotion, Gueniffey heralds its success as “a genuine humiliation inflicted on the European powers, who were from now on forced to admit into their company the revolutionary France whose legitimacy they had contested.” Broers sym-

pathizes with Italian peasants abused by French officials who viewed them as a derided “other,” to be taxed; Gueniffey writes of Napoleon’s “triumphal” reception by Italians who saw “in him a son of Italy” making them proud. There could hardly be two more different sensibilities confronting Napoleon than Broers and Gueniffey; neither is “right” or “wrong”; they choose different facts to make contrasting points.

Gueniffey, like Furet, has little good to say about 1789. “The Revolution,” he writes, “had passed through France, but had not left it entirely in ruins: Europe was soon to learn this at its own expense.” The Consulate, in his telling, was authority and force in the service of moderation; it was an end to the deadly mechanisms of “revolutions,” not because Bonaparte did not incarnate the latter (he did), but because he abjured the civil war that revolution had entailed for ten years. The consular reforms produced the national monarchy that enlightened despotism’s reformist ministers had dreamed of and that Bonaparte consolidated, but now in a modernized society.

Gueniffey simply stipulates that the Directory was a weak government trying to fool people with retaliatory measures that proved to be an all-around disaster for France, as if no scholarship existed to contest this view, although it does. Or again, he states, as though it was obvious fact, the controversial interpretation that “the nation, which had

Glasgow Museums



already forgotten the Revolution, was grateful to [Napoleon] for peace and for the order that had finally returned, and for church bells that rang once again every Sunday.” Our author magisterially refers to new foundations of France as if History itself were speaking, but in truth he is only adopting his subject’s criteria of “grandeur” and “administrative wisdom.” In his classic study, *Napoleon: For and Against*, the Dutch historian Pieter Geyl writes about such an approach as Gueniffey’s: it may have advantages for how a text sounds, but it “leaves the independent critical mind unsatisfied.” I would amend that: work like this quite dazzles the mind, even when it does not convince it.

In Gueniffey’s book, unlike the others, I spotted no mistakes. There is, however, a quirk in his telling that goes beyond the merely annoying. Like Furet, Gueniffey has much to say about earlier French authors on the First Empire, from Chateaubriand to Bainville, as well as Adolphe Thiers, Hippolyte Taine, and Albert Sorel—and occasionally about conservative modern politicians, like Michel Poniatowski. But, again like Furet, he has contempt for “the professors” whom he rarely cites in his footnotes or even his bibliography, and almost never engages in his text. Broers and Roberts refer to modern scholars to good effect, but Gueniffey usually ignores Anglo-American and French colleagues, some

of whose positions he nevertheless adopts, perhaps inadvertently, perhaps not. He has produced a magnificent and scintillating study of political (but not social or economic) analysis that will take its place as a classic French account of Napoleon’s life. But he has more debts to more writers than he cares to acknowledge.

Gueniffey suggests that biography as a genre is “not susceptible of a cumulative conception of knowledge,” and it is certainly true that the books under review offer different interpretations that do not converge and could not be blended. The three books present ambitious and important approaches, but they have predecessors. Roberts has the British Liberal imperialist prime minister the Earl of Rosebery, whose sensitive and appreciative view of Napoleon must have surprised his colleagues in the late nineteenth century. Broers is harder to situate, but the French Catholic writer Joseph d’Haussonville comes to mind, for he appreciated aspects of Napoleon while deploring his treatment of the church. Gueniffey, finally, has many predecessors among the conservative writers of the French past (Albert Vandal, Albert Sorel, Jacques Bainville), none of them academics like him, but all were académiciens, in the French sense: members of the French Academy.

Just as we would expect, Napoleon remains a mystery. Roberts accepts this and tells a good story without puzzling over his identity; Broers tries to ferret out the man behind 30,000 letters; and Gueniffey deduces the *fortuna* of the young Napoleon from the institutions he created during the Consulate. Surprisingly many of those who were closest to Napoleon left no real memoirs to speak of: for example, Jean-Jacques Régis de Cambacérès, the archchancellor of the Empire; the two empresses Joséphine and Marie-Louise; Prince Eugène de Beauharnais, Napoleon’s stepson and viceroy of Italy; Maria Walewska, Napoleon’s mistress and great friend; Louis-Nicolas Davout, his greatest marshal and minister of war; Charles-François Lebrun, one of the consuls, etc. So to some extent, one is left to—forced to—punt, as it were, when it comes to the inner man.

My own thoughts, reading these books, lead me to ponder a line of Napoleon’s featured by Gueniffey: “My fate will never hold out against my will.” We know from Roberts, who tells the entire story, that the emperor’s fate did overcome his will after 1808, if not sooner. Broers and Gueniffey strongly hint that Napoleon will eventually be hoisted on the petard of his temperament, his famous will broken not only by the strength of his enemies but by his own failure to evolve psychologically.

Nietzsche famously called Caesar

“self-outwitting,” but I see, thanks to our authors, that we could not say as much of the first French emperor. It is already a bad sign when Jacques Bainville notes that “nothing ever surprises him,” for it leads us to wonder if Napoleon’s “dual vision”—i.e., both of himself and an adversary—had much bite when it came to his own character. The lack of capacity for introspection seems undeniable in Napoleon. On our authors’ telling, he was certainly very gifted, but finally anchored in traits and qualities that “possessed him,” more than vice versa. In Nietzsche’s sense of radical self-reinvention, he did not know how to hover among potentialities, assertions, and constant dissolutions, as perhaps Julius Caesar did.

We shall never know the heart of *l’Empereur*’s mystery: that is becoming clear. But as I noted at the outset, the conscientious telling of this story is more revealing—indeed, unmasking—of authors than of their subject. I would suggest that Andrew Roberts’s exuberant narrative shows him to be an enthusiastic *amateur* in the French sense of “lover of something” more than a workaday military historian. Michael Broers’s diatribes reveal an angry moralist and conservative anarchist hiding in Oxford professorial tweeds. And Patrice Gueniffey? The academic in this Frenchman barely hides, if at all, his indifference to the university and his willingness to be an *académicien*. □

## LETTERS

### A CASE FOR EXECUTION

To the Editors:

“The Magna Carta Betrayed?” [*NYR*, February 11] is an attack on the Antiterrorism and Effective Death Penalty Act (AEDPA). It is written by a federal district court judge. One of the reasons for the act was that federal district court judges were using habeas corpus to set themselves up as super courts of appeal over state supreme courts. A federal district court judge might think that he was smarter, acting alone, in analyzing a case than five state supreme court justices, but that is not always the case.

In considering the death penalty, one cannot lose sight of what crime deserves it. When I was Arizona attorney general, one death penalty postponed on a legal technicality by the federal system involved a perpetrator who tied another man to a chair and (with an accomplice) tortured him for many hours before killing him. I will spare your readers the details because most people can’t bear to hear them.

One must also consider the families of victims. As attorney general, I spoke to organizations of families of victims, such as families of police officers killed in the line of duty, and parents of children killed in brutal crimes. I spent a lot of time listening. They need to see justice done promptly, and are victimized a second time by lengthy delays from federal habeas corpus. The average delay in the Ninth Circuit at the time was eighteen years. This imposes a lot of suffering on them.

When the author spoke of AEDPA enabling people to “be promptly executed” he must have imagined knowledgeable readers figuring he was kidding.

He also writes of people “factually innocent of the crime.” Some of AEDPA’s more important provisions have exceptions where there is a genuine issue of innocence. The more typical habeas case is the tough



Earl Washington, who in 1984 was wrongfully convicted of rape and murder, with Marie Deans, a member of his legal team, at a press conference in Virginia Beach after he was freed from prison, February 2001. Washington spent more than seventeen years in prison—many of them on death row—and once came within nine days of execution. He was exonerated after DNA testing proved his innocence.

childhood defense. A court rules for the perpetrator on the grounds of ineffective assistance of counsel. The lawyer did not interview enough teachers and others from the perpetrator’s childhood to prove that he had diminished capacity and therefore less culpability, regardless of how brutal the crime.

I did not want to personally argue any death penalty cases unless I was certain of the guilt of the perpetrator. In one case, I persuaded the US Supreme Court to unanimously overrule the Ninth Circuit, which, using habeas, had granted an indefinite delay of execution of someone who had brutally killed someone in his home. The victim’s wife was also a victim of the endless federal delay. There was DNA on the floor that could not be tested in the techniques of the time. During the delay of many years, techniques improved, and my office went to court to have the DNA tested, which by then could be done.

The defense lawyer objected. His client was guilty.

**Tom Horne**

Arizona Attorney General (Retired)  
Phoenix, Arizona

**Jed S. Rakoff** replies:

Mr. Horne defends the death penalty against robust federal habeas review on the grounds that certain crimes are so brutal, and the anguish they bring to families of the victims so intense, that prompt imposition of the death penalty by the states should not be stymied. No one could be more sensitive to both these concerns than this author, since my beloved older brother was bludgeoned to death at the age of forty-five, after which the murderer set fire to his apartment in an effort to conceal the crime. Although the culprit was caught, convicted, and imprisoned, my feelings of anger and loss remain unassuaged.

But it is just such emotions, which empathetic judges and jurors may feel almost as strongly as the victims’ families, that lead innocent defendants to be defectively tried and wrongly convicted. We cannot ignore the fact that, as a result of DNA testing alone, more than 335 persons previously found guilty of the most brutal crimes have now been exonerated. In most of these cases, juries had found the defendants guilty beyond a reasonable doubt and state appellate courts had affirmed the convictions, typically concluding that the evidence of guilt was “overwhelming” and any procedural error “harmless.” Often it was only as a result of federal habeas intervention that these defendants had not been executed when the definitive proof of their innocence emerged.

Nor is the problem limited to death penalty cases. In just this past year, according to *The New York Times*, “149 people convicted of crimes large and small—from capital murder to burglary—were exonerated.” One wonders how many other wrongfully convicted defendants remain in prison, or have gone to their execution, because of the limits that AEDPA and other such laws now place on federal habeas review.

### FORCED CONVERSION TO ISLAM?

To the Editors:

In his recent review of *Heretic: Why Islam Needs a Reformation Now* by Ayaan Hirsi Ali [*NYR*, December 3, 2015], Max Rodenbeck writes:

She takes, for example, the long-lapsed and historically rare practice of forced conversion—a practice jarringly revived only recently by ultra-extremist groups such as Boko Haram in Nigeria or ISIS in Iraq—to be the norm rather than the exception. Yet historians now largely accept that far from being “extremely brutal,” as Hirsi Ali asserts,



the extraordinarily swift and sweeping early Muslim conquests were assisted by large numbers of willing “infidel” allies, who may have viewed Muslim rule as a relief from the warring Byzantine and Persian empires.

Mr. Rodenbeck seems to suffer from the all-too-common perspective among Occidentals that “history,” like the rule of Alexander the Great, doesn’t extend beyond the Indus River. Some scholars like to tell a tale about the great tolerance exerted by the enlightened Muslim rulers of India, beginning with Muhammad bin Qasim, who established dominance over the Sindh region in the eighth century AD. In so doing, however, Qasim most certainly caused a great deal of destruction, with clear evidence of massive forced conversions, destruction of sacred sites, and genocide. And this trend more or less continued in India for a thousand years.

For example, in the thirteenth century, Muhammad bin Bakhtiyar Khilji destroyed the ancient university of Nalanda, killing all the Buddhist monks and nuns, taking literally three months to burn every single book in the university’s library. Imagine if ISIS or al-Qaeda killed everyone on campus at Harvard or Yale, and burned all the lecture halls, libraries, churches, synagogues, and cultural institutions: such was the untold impact on India, in almost every part of India, for a thousand years.

Similar examples of forced conversions and brutality can be found during the reigns of Mahmud Khalji of Malwa (1436–1469 AD), Ilyas Shah (1339–1379 AD), Babur (1483–1530 AD), and Sher Shah Suri (1486–1545 AD), all of whom destroyed temples, killed non-Muslims, and forced the conversion of entire communities. Even during the so-called *sulah-i-kul* (“peace with all”) initiated by Mughal Emperor Akbar (1542–1605 AD), his son Shah Jahan, known for his supposed monument to love, had almost a hundred temples destroyed in the ancient city of Varanasi alone. Jahan’s son Aurangzeb brought an end to any pretense of this institutionalized peace, and went on a rampage, killing Hindus, destroying temples, and placing severe restrictions on already impoverished Hindu cultural institutions.

Hopefully, in light of this evidence, Mr. Rodenbeck can reevaluate his claim that the forced conversion in Islam is a “historically rare practice.” While Muslim rulers may have had more sympathy for their Abrahamic cousins in the Levant or Persia, that same courtesy was rarely extended to the “idolaters” of India.

**Todd Caldecott**  
Vancouver, British Columbia

**Max Rodenbeck** replies:

I am very happy to extend history in any direction. Regarding forced conversion and Islam, it is far from my intent to whitewash a long and mixed record. I stand corrected in my injudicious use of the word “rare.” There are indeed numerous instances of forced conversion to Islam, and not only east of the Indus. Muslims have often behaved no better than adherents of other aggressively proselytizing faiths, although it is hard to find examples quite as egregious as the brutal eradication of paganism by the Christian kings of Europe beginning with Charlemagne in the eighth century and ending with the forced mass baptisms of Vladimir the Great in the tenth, or the repeated expulsion and slaughter of European Jews, or the Spanish edict of 1513 that gave Native Americans a stark choice between slavery, death, or submission to the church of Saint Peter.

In focusing on the early Muslim conquests my purpose was not to hide contrary later evidence but simply to refute Ayaan Hirsi Ali’s insinuation that the practice of forced conversion is somehow embedded in the genes of Islam. It is not. Muslim foundational texts and legal traditions are complex and contradictory, and in practice most Muslim rulers have either not consid-

ered, avoided, or sparingly inflicted forced conversion. This is not to say they were uniformly gentle or had no interest in expanding the faith. It was often simply the case that other inducements, such as the lure of exemption from taxes that were imposed on non-Muslims, worked better than the point of a sword: at least one early Muslim ruler issued orders to stop the flow of converts because it was reducing revenues.

The weight of evidence over fourteen centuries of Islam is that short bursts of zeal tended to be followed by far longer periods of complacency. The examples from India cited by Mr. Caldecott are a case in point: they describe the actions of rampaging armies that were typical of the age rather than calculated programs of conversion. Wikipedia lists some twenty-nine Muslim empires and dynasties in South Asia. The simple fact that a millennium of Muslim domination failed to produce a Muslim majority on the Indian subcontinent suggests that most of those rulers were not trying very hard to bring one about.

The same was true of other places. Egypt retained a Christian majority for six hundred years after the Muslim conquest. Greece, Bulgaria, and Romania remain overwhelmingly Christian today despite centuries under the yoke of the Ottoman sultans, who incidentally gave refuge to Jews fleeing from forced conversion in Spain. It was not only such “Abrahamic cousins” who survived and sometimes prospered in the heartlands of Islam. So did sects such as the Zoroastrians, Yazidis, and Mandeans, the latter of whom, incidentally, are thought to have fled to Mesopotamia in the second century to escape Jewish persecution in Palestine. The current grim plight of such communities reveals more about the ugliness of the present age than about Islamic “tradition.”

And if we follow Mr. Caldecott’s urgings and turn to the east, we find scant evidence of forced conversion in the whole thousand-year-long history of Islamic expansion across the East Indies. Indonesia, with the largest Muslim population of any country today, was Islamized by Arab traders, Sufi missionaries, and native rulers, not by conquest. Had forced conversion been habitual and natural to them, it is hard to see how Indonesia’s Muslims failed to covet the lovely island of Bali, 85 percent of whose four million people still happily practice Hinduism.

Apart from Mr. Caldecott’s letter, my thanks to readers who have pointed out that I made a small but not very significant error concerning the word “sharia.” In the strange way of Semitic languages with their trilateral roots, “sharia” relates more to words suggesting the trajectory of arrows or some sort of decisive action rather than a footpath or “way,” as I wrote, although the word for a street in modern Arabic, from the same root, is *shari*.

## INFORMATION PLEASE

*To the Editors:*

Author seeks information, recollections concerning Leonore (Mrs. Ira) Gershwin and the musicologist/biographer Joan Peyser.

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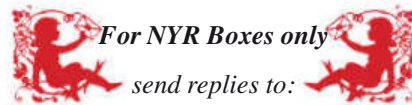
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